

CALIFORNIA HIGH-SPEED TRAIN

Project Environmental Impact Report /
Environmental Impact Statement

FINAL Scoping Report

for the

San Jose to Merced High-Speed Train Project EIR/EIS

August 2009

Prepared for:

**California High-Speed
Rail Authority**



**U.S. Department of Transportation
Federal Railroad Administration**



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SUMMARY

In 2005, the California High-Speed Rail Authority (Authority) and the Federal Railroad Administration (FRA) completed a Final Statewide Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) as the first-phase of a tiered environmental review process for the proposed California High-Speed Train (HST) system. The Authority and the FRA completed a second program EIR/EIS in July 2008 to identify a preferred corridor for the Bay Area to Central Valley section of the HST system. As part of the HST Alternative selected for further analysis, the Authority and FRA defined a corridor between San Francisco and San Jose along the San Francisco Peninsula and between San Jose and the Central Valley through the Pacheco Pass and via Henry Miller Road (see **Figure 1**). Tiering from the two program studies, the Authority and the FRA will prepare a project EIR/EIS that examines site-specific impacts of alignments, station locations, and HST operations between San Jose and Merced, and identifies specific mitigation measures, as necessary.

The Authority encourages broad participation during EIR/EIS scoping and review of the draft environmental documents. The public scoping effort is intended to collect information on potential impacts, mitigation measures, and project alternatives to help define the scope of evaluation of the project. Comments and suggestions are invited from all interested agencies and the public to ensure the full range of issues related to the proposed action are addressed, including all reasonable alternatives. In particular, the Authority is interested in determining where there are areas of environmental sensitivity and where there could be a potential for significant impacts from the HST project.

Pre-scoping public outreach activities were initiated in December 2008, including the development of project information materials, establishment of a project information phone line, early engagement with interested parties, and media communications. On February 23, 2009, a Notice of Preparation (NOP) announcing the preparation of the EIR was distributed to the State Clearinghouse; elected officials (federal, regional, local), and federal, state and local agencies, including the planning and community development directors in each county, and the interested public. A Notice of Intent (NOI) announcing the preparation of the EIS was published in the *Federal Register* on March 16, 2009.

In response to the NOP/NOI, public agencies with jurisdiction over aspects of the proposed projects or resources that could be affected by the project were requested to advise the Authority and the FRA of the applicable permit and of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the proposed project. Public scoping meetings were scheduled as an important component of the scoping process for both the State and federal environmental review.

KEY THEMES

Following are overall themes and topics raised during the scoping process.

Protection of the Environment

Major Issues Raised: Noise and vibration, potential impacts on land use, private property, communities, and neighborhoods adjacent to proposed alignments; displacement of residences/parks/cultural and historic structures along proposed alignments potential impacts on biological and wetlands resources; traffic and circulation; construction methods and impacts; potential impacts on park, recreational facilities, open space and trails; and growth-inducing effects.

Alignment, Station, and Facility Alternatives

Major Issues Raised: Alignment options and alternatives for routes, stations, and maintenance facilities: design options for grade crossings and separations; considerations for alternative elevated, trenched or tunneled alignments, parking locations, and other facilities. Transit-oriented development around proposed station locations. Additional alignment alternatives suggested included:

- In San Jose, to avoid potential impacts to the Greater Gardner neighborhood, several options for an underground tunnel and alignment design options along State Route 87, south of Highway 280, between the Diridon and Tamien Caltrain stations.
- In the south part of San Jose between the Tamien station to Coyote Valley, an option to follow State Route 87 and 85, replacing the Santa Clara Valley Transportation Authority (VTA) light rail that runs along that corridor with high speed rail, and relocating the VTA light rail to Monterey Highway.
- South of San Jose, an option to follow U.S. 101 to reach Gilroy, bypassing downtown Morgan Hill.
- East of Gilroy on the west side of Pacheco Pass, an option to explore alignment options that would avoid bisecting the Frazier Lake Airpark.
- On the east side of the Pacheco Pass, options to avoid the Grassland Ecological Area and cross the San Joaquin Valley from Santa Nella to State Route 99.
- From Los Banos east, several options to follow State Route 152 to reduce potential impacts to agricultural lands and the City of Chowchilla.
- Options south of SR 152 to reduce potential impacts to Chowchilla and make connections to the Merced to Bakersfield section of the project.

Environmental/Planning Process

Major Issues Raised: Public and agency involvement, coordination with other planning studies and processes, and need/plans for more extensive outreach, particularly to Spanish speakers.

Connectivity and Coordination with/Impacts to Other Transportation Facilities

Major Issues Raised: Shared station access with existing rail stations; coordination with UP and JPB rights-of-way; design of additional tracks to accommodate present and future rail operations; coordination with Caltrain, the proposed BART extension to San Jose, and UP operations, VTA and local transit providers; and other projects currently under construction/consideration.

Health and Safety

Major Issues Raised: Safety and security of grade crossings and separations, alignments near high-pedestrian areas; protection from electromagnetic fields/electro-magnetic interference; safety associated with construction activities.

Project Funding/Cost

Major Issues Raised: Overall financing of the system; capital and operating cost and revenue estimates.

Program Support/Opposition

Major Issues Raised: Need for and importance, priority of California high speed rail program.

Technologies

Major Issues Raised: Alternative energy sources, safety systems, and maglev technologies; energy efficiency; and incorporation of renewable energy solutions.

Evaluation Criteria

Major Issues Raised: Noise and vibration measurements and criteria; traffic modeling and measurement; air quality measurements; and water quality standards and measurement.

Land Use and Property Acquisition

Major Issues Raised: Land valuations, land acquisition, and compensation to property owners whose land may potentially be acquired or whose residence or business may potentially be relocated.

FIGURE 1: STUDY AREA

1.0 INTRODUCTION

This report provides an overview of the written and verbal comments received during the scoping process for the Project Environmental Impact Report / Environmental Impact Statement (EIR/EIS) for the section of the California High-Speed Train (HST) system between San Jose and Merced. The purpose of this report is to summarize agency and public comments, issues, and concerns raised during the scoping process. The report will be used to help the California High-Speed Rail Authority (Authority) and the Federal Railroad Administration (FRA) to determine the appropriate scope for the EIR/EIS.

Appendices can be found at the end of this document that contain the following information:

- Appendix A: Notice of Preparation under CEQA that describes the project and starts the environmental review process under state procedures
- Appendix B: Notice of Intent under NEPA that describes the project and starts the environmental review process under federal procedures
- Appendix C: Copies of scoping meeting announcements that introduces the public to the project and provide details on the scoping meetings
- Appendix D: Scoping meeting distribution list that provides information on contacts invited to all scoping meetings
- Appendix E: Newspaper notices and advertisements used to alert the public to the availability of scoping meetings
- Appendix F: Scoping meeting attendance lists that show who signed in and attended scoping meetings
- Appendix G: Scoping meeting handout materials that include informational materials provided to scoping meeting attendees
- Appendices H, I, J, and K: Summary of public and agency comments made during the scoping phase
- Appendix L: Photographs taken at scoping meetings
- Appendix M: Scoping meeting display boards are digital copies of the exhibit boards presented at the scoping meetings for public review and discussion with the project team.

1.1 DESCRIPTION OF PROJECT

The Bay Area to Central Valley HST Program EIR/EIS identified a corridor between San Francisco and San Jose along the San Francisco Peninsula, and between San Jose and the Central Valley through the Pacheco Pass and via Henry Miller Road. The corridor for the San Jose to Merced section generally follows the Caltrain/Union Pacific Railroad (UPRR) corridor from San Jose to Gilroy, passing through urban and suburban areas. From Gilroy, the corridor extends east through the mountainous Pacheco Pass, generally following State Route 152, and then along Henry Miller Road to Chowchilla, and from Chowchilla north along the UPRR, BNSF or other alignments/linkages to Merced to connect with the Merced to Bakersfield section of the HST. HST stations are proposed in San Jose at the Diridon Station, in Gilroy at the Caltrain Station, and in downtown Merced at the Southern Pacific Depot now used as a regional bus center. The San Jose to Merced HST Project EIR/EIS will examine site-specific impacts of the preferred alignment, station locations, and HST operations between San Jose and Merced, and will identify specific mitigation measures, as necessary.

1.2 SAN JOSE TO MERCED SECTION ALTERNATIVES

As described in the NOI/NOP, the San Jose to Merced HST Project EIR/EIS will consider a No Action or No Project Alternative and a HST Alternative for the Merced to San Jose corridor. These alternatives are briefly described on the following page.

No Action Alternative

The No Action Alternative (No Project or No Build) represents the conditions in the corridor as they existed in 2009, and as it would exist based on programmed and funded improvements to the intercity transportation system and other reasonably foreseeable projects through 2035, taking into account the following sources of information: State Transportation Improvement Program (STIP), Regional Transportation Plans (RTPs) for all modes of travel, airport plans, intercity passenger rail plans, and city and county plans.

HST Alternatives

The Authority proposes to construct, operate, and maintain an electric-powered steel-wheel-on-steel-rail HST system, about 800 miles long, capable of operating speeds of 220 mph on mostly dedicated, fully grade-separated tracks, with state-of-the-art safety, signaling, and automated train control systems. The San Jose to Merced HST corridor selected by the Authority and FRA at the Program-Level generally follows the Caltrain/UPRR corridor from San Jose to Gilroy. From Gilroy, the corridor extends east through the Pacheco Pass generally following State Route 152 and then along Henry Miller Road across the valley floor to connect with the Central Valley section of the HST system.

Further engineering studies will be undertaken as part of this EIR/EIS process that will examine design options along the Caltrain/UPRR corridor and possible use of portions of parallel transportation corridors. Alignment refinements in the Pacheco Pass area by potentially locating the HST line and tunnels closer to State Route 152 will be reviewed to determine their practicality and their ability to reduce environmental impacts. Alignment variations along Henry Miller Road (both to the north and the south), along SR 152 east of Los Banos, and north and south of Grasslands Ecological Area will be identified and evaluated for the purpose of reducing or avoiding impacts to natural resources in the Grasslands Ecological Area. See **Figure 1** for a map of the San Jose to Merced section of the HST system, as described in the Bay Area to Central Valley Program EIR/EIS.

All crossings will be grade separated and the entire alignment will have intrusion projection. The options to be considered for the design of grade-separated roadway crossings would include (1) depressing the street to pass under the rail line; (2) elevating the street to pass over the rail line; (3) leaving the street as-is and constructing rail line improvements to pass over or under the local street, and (4) street closure, if appropriate. In addition, alternative sites for right-of-way maintenance, train storage facilities and a train service and inspection facility will be evaluated in the San Jose to Merced HST project area.

Preferred station locations are the Diridon Station in San Jose, the Caltrain Station in Gilroy, and the Southern Pacific Depot in downtown Merced. These locations were selected by the Authority and FRA through the Bay Area to Central Valley HST Final Program EIR/EIS, considering the project purpose and need, and the program objectives. Alternative station sites at or near the preferred locations may be identified and evaluated in this Project EIR/EIS. There will be no station between Gilroy and Merced. In addition, there will be no maintenance and storage facilities considered in the Los Banos area (or in the vicinity of the GEA).

1.3 PROCESS OF SCOPING

"Scoping" is one of the first steps in the environmental review process that assists with determining the focus and content of an EIR/EIS. Scoping is also intended to inform and educate the public and public agencies about the project, the potential range of actions, alternatives, environmental effects, the overall schedule for the environmental review process, mitigation measures to be analyzed in the EIR/EIS, and is a means of providing input to the Authority and the FRA.

Scoping also provides opportunities for the public, affected agencies, and other interested parties to express their concerns about the project. Scoping is not conducted to resolve differences concerning the merits of a project or to anticipate the ultimate decision on a proposal. The intent of the scoping process is to involve the agencies and the public in defining the major issues to be analyzed in the EIR/EIS.

The objectives of the San Jose to Merced HST Project EIR/EIS scoping process were to:

Inform the agencies and interested members of the public about the proposed San Jose to Merced HST project, including NEPA and CEQA requirements.

Identify concerns and issues regarding environmental topics.

Identify concerns and issues regarding alignments and station locations in the San Jose to Merced corridor to be analyzed in the Project EIR/EIS.

Identify mitigation measures or approaches to avoid and minimize impacts; these measures and approaches may be useful and explored further in the Project EIR/EIS.

Develop a mailing list of agencies and individuals interested in future opportunities to review the EIR/EIS.

The scoping process and the input gathered during the scoping period are documented in this report.

It is important to note that although scoping is a distinct stage in the Project EIR/EIS process, public involvement activities extend throughout the entire Project EIR/EIS process. These activities allow for interaction and identification of public and agency issues and concerns with the Project EIR/EIS throughout the study process.

During the scoping process, agencies and interested members of the public raised questions and concerns related to the San Jose to Merced HST project section. Comments received during the scoping process will assist the Authority and FRA in their review and evaluation of alternatives.

1.4 NOTIFICATION OF EIS/EIR SCOPING

A California State NOP was distributed to the State Clearinghouse; elected officials, local, regional, and state agencies; and the interested public on February 23, 2009 (Appendix A). A NOI was published in the *Federal Register* on March 16, 2009 (Appendix B). The NOP and NOI stated the purpose of the project, the project limits, a description of alternatives to be considered, the need for agency input, potential environmental impacts of the project, points of contact for additional information regarding the project, and the dates and locations of the scoping meetings. The scoping comment period ran from February 23, 2009 through May 2009.

An informational phone line was also made available for people to leave messages in Spanish, Vietnamese, and Chinese to request information in those languages.

1.5 SCOPING ACTIVITIES



The scoping meetings for the San Jose to Merced High-Speed Train Project EIR/EIS were conducted in March 2009. The public workshops/scoping meetings drew over 300 participants (173 of the participants attended the Merced scoping meeting, which was a joint meeting with the Fresno to Bakersfield section EIR/EIS team). The geographical extent of this section of the proposed HST Project led to scoping meetings being held in San Jose, Gilroy, and Merced.

The scoping process included three formal agency and public scoping meetings (see **Table 1**). Each meeting included an open house with the opportunity to ask staff questions about the project.

Table 1: Scoping Meeting Locations and Times

Date	City	Location/Address	Time
3/18/2009	Merced	Merced Community Senior Center, 755 West 15 th Street, Merced*	3:00–7:00 p.m.
3/25/2009	San Jose	Roosevelt Community Center, Community Room B, 901 East Santa Clara Street, San Jose	3:00–7:00 p.m.
3/26/2009	Gilroy	Gilroy Hilton Garden Inn, Ballroom A, 6070 Monterey Road, Gilroy	3:00–7:00 p.m.

*A joint scoping meeting was held in Merced in conjunction with the Merced to Bakersfield HST project section.

Materials used during the scoping meetings included exhibits and handouts distributed at the meetings and through the Authority's Internet Web site (www.cahighspeedrail.ca.gov). These materials included the following appendices located at the end of this document:

Notice of Preparation (NOP) (see Appendix A)

Notice of Intent (NOI) (see Appendix B)

Scoping Meeting Handout Materials (see Appendix G)

Scoping Period Comment Card (see Appendix H)

A copy of the 2008 Bay Area to Central Valley High-Speed Train Program EIR/EIS

Display Boards (see Appendix O)



At each meeting, attendees were asked to sign-in and provide contact information so that they could be notified of future project activities. Table 2 provides a summary of meeting attendees based on information they provided on sign-in sheets, comment cards or to the court reporter. Authority and consulting staff facilitated the scoping meetings to provide general information and instruction on ways to provide public comment.

Table 2: Scoping Meeting Attendees Summary

Date	City	Description of Participants
3/18/2009	Merced	69 Individuals 30 Private Organizations & Corporations 16 Special Interests 15 Public Agencies (other than City or County) 12 City Agencies 11 County Agencies 10 Education 5 Planning Commission 4 Elected Officials/Staff <u>1 Emergency Services</u> Total 173 attendees
3/25/2009	San Jose	52 Individuals 9 Private Organizations & Corporations 8 Elected Officials/Staff 8 Neighborhood Associations 5 Environmental & special interests 4 Public Agencies (other than City or County) 4 City Agencies 1 Press/Media <u>1 School</u> Total 92 attendees
3/26/2009	Gilroy	36 Individuals 6 Private Organizations & Corporations 4 Planning Commission 3 Elected Officials/Staff 2 Public Agencies (other than City or County) 2 Chambers of Commerce 1 City <u>1 Emergency Services</u> Total 55 attendees

Each meeting was conducted in an open-house format, where boards were on display to the public. Project staff was on hand to answer questions regarding the San Jose to Merced project section. A short video was run on a loop during the open house, which featured simulations of the statewide HST system and San Jose to Merced corridor, and interviews from authority team members.

Written comment cards and verbal comments made to a court reporter at these meetings are included and summarized in this report (see Section 3). Written comments provided via mail and via e-mail are also included. As of May 1 2009, written comments were received from 141 commentors, including 49 letters, 43 e-mails and 49 comment cards. In addition, 27 people made verbal comments to a court reporter at the public scoping meetings. Copies of the comment cards, e-mails, letters and public meeting verbal transcripts of the scoping meetings are provided in Appendix H, Scoping Comment Cards, Appendix I, Written Public Scoping Comments, Appendix J, Written Agency Scoping Comments, and Appendix K, Record of Verbal Comments from Scoping Meetings (Court Reporter Transcripts).

2.0 PUBLIC AND AGENCY INVOLVEMENT DURING SCOPING PERIOD

2.1 SUMMARY OF SCOPING ACTIVITIES

Notice of scoping meetings was mailed to a comprehensive list of more than 2,500 adjacent property owners; various federal, state and local agencies; elected officials; community, business, and environmental leaders and organizations; and other interested individuals received notification of the public workshops/scoping meetings. Scoping included implementation of a communication infrastructure, development of themes and messages, execution of a project information line, early engagement with key stakeholders, and media communications, as described below.

Postcard notices that provided meeting information for the three public scoping meetings, the Authority web site address, and project information line phone number were mailed via the U.S. Postal Service to everyone on the mailing list and distributed by request to interest groups and made available at pre-scoping stakeholder meetings for participants to distribute to their constituents and/or communities.

Approximately 500 electronic versions of the postcard were e-mailed twice to elected officials, government agencies, city halls, chambers of commerce, residents, previous meeting attendees, businesses, and community-based organizations who had identified e-mail addresses.

Approximately 190 letters were mailed to elected officials, which provided background information on the project and meeting information for the three public scoping meetings.

Notification of the scoping meetings was published in display ads in four local newspapers in March 2009. These newspapers were the *Gilroy Dispatch*, *Morgan Hill Times*, *Weekend Pinnacle* and *San Jose Mercury News*. Legal advertisements were placed in the papers of record for the four counties that the Merced to San Jose corridor passes through (Santa Clara, San Benito, Merced and Madera). These papers include the *San Jose Mercury News* and *Merced Sun-Star*.

Press releases were sent to approximately 230 print, broadcast and online media that operate in the Bay Area, Santa Clara, San Benito, Merced and Madera counties, and the cities of San Jose, Gilroy, Morgan Hill, Los Banos, and Merced.

In addition, municipalities and community groups were asked to include notice of the scoping meetings in their own communication materials

Information was provided on the Authority's Web site at www.cahighspeedrail.ca.gov

Reference to an information line was provided on the scoping meeting announcements in English, Spanish, Chinese and Vietnamese. Spanish speakers were made available at the scoping meetings for participants requesting information in Spanish.

2.2 SUMMARY OF NOTICED SCOPING MEETINGS

As shown in **Table 1**, three meetings were scheduled to provide the public with an opportunity to learn more about the project, to ask questions of project managers and staff, and to officially provide feedback for the record. Three scoping meetings were held: (1) the first scoping meeting was a joint scoping meeting with the Bakersfield to Merced section project team, held at the Merced Community Senior Center in Merced on March 18, 2009; (2) the second scoping meeting was held at the Roosevelt Community Center, Community Room B in San Jose on April

25, 2009; (3) and the third scoping meeting was held at the Gilroy Hilton Garden Inn, Ballroom A in Gilroy on March 26, 2009.

Section 3.0 of this document provides a summary of comments received verbally to court reporters at the public meetings and in writing through comment cards submitted at the meetings and by letters submitted by mail and e-mail before and after the scoping meetings.

Appendices H, I, J, and K include the complete copies of meeting transcripts and comment cards and letters submitted.

2.3 BRIEFINGS TO STAKEHOLDERS

In addition to the noticed scoping meetings, the Authority made presentations to community-based organizations, business groups, local agencies, and city officials based along the proposed Merced to San Jose project corridor. The purpose of the presentations was to allow the Authority to re-introduce the HST project and describe the project environmental process.

The presentations were an important opportunity for each stakeholder to learn more about the project, have access to project managers and team staff that could answer their questions, have an informal forum in which to state their positions on behalf of their constituencies, become informed of the upcoming environmental review process, and be invited to participate at the scoping meetings. Each person in attendance received a public information packet and viewed a power point slide presentation on the overall statewide project, relevant to the specifics of the Merced to San Jose project section.

The following is a list of the presentations that occurred during the pre-scoping phase:

12/18/2008	City of San Jose
1/12/2009	Delmas Park Neighborhood Action Committee
2/18/2009	City of Gilroy
2/18/2009	City of Morgan Hill
2/19/2009	City of Los Banos
2/23/2009	Silverleaf, San Jose Neighborhood Association
2/25/2009	Gardner Advisory Council, San Jose
2/26/2009	Grasslands Water District
2/28/2009	City of San Jose District 2 Town Hall
3/3/2009	Environmental Groups (Committee for Green Foothills, Greenbelt Alliance, Nature Conservancy, Silicon Valley Land Trust, Audubon Sierra Club)
3/19/2009	City of Chowchilla
3/24/2009	North Willow Glen, San Jose Neighborhood Association
3/26/2009	Transportation Agency of Monterey County
4/14/2009	City of Morgan Hill Planning Commission
4/29/2009	Greater Gardner, San Jose community meeting in Spanish and English

3.0 PUBLIC SCOPING COMMENTS

Between February 23, 2009 and May 1, 2009, written comments were received from 141 commenters, including 49 letters, 43 e-mails and 49 comment cards. In addition, 27 people made verbal comments at the public scoping meetings.

3.1 SUMMARY OF COMMENTS

Table 3 highlights approximately how many comments were made by topic area and how many and what type of entities commented. Topics are listed in order of those that received the most comments to those that received the least. See Table 4 through 13 for summaries of actual comments.

Topic & No. of Comments	TABLE 3 Organization Name of Commenters	No. of Commenters
Protection of the Environment (218 total comments)		
Noise and Vibration Total comments: 40	<u>Federal:</u> US EPA <u>State:</u> Department of Fish and Game Ecosystem Conservation Division. <u>County:</u> Merced County Board of Supervisors. <u>City:</u> San Jose District 6, Gilroy Community Development. <u>Private:</u> Hanchett Residence Park, Shasta Hanchett Neighborhood Association, Planning and Conservation League, California Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund, Greater Gardner Coalition Neighborhood Action Coalition, Silver Leaf Neighborhood Association, Willow Glen Neighborhood Association	34 commenters: 1 Federal 1 State 1 County 2 City 5 Private 24 Individuals
Biological Resources and Wetlands Total comments: 22	<u>State:</u> Department of Fish and Game Ecosystem Conservation Division. <u>Regional:</u> Grassland Water District, Grassland Resource Conservation District, and Grassland Fund. <u>County:</u> Santa Clara County Parks and Recreation. <u>Private:</u> Planning and Conservation League, California Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund, Greater Gardner Coalition Neighborhood Action Coalition, California Native Plant Society	18 commenters: 2 Federal 1 State 1 Regional 1 County 5 Private 8 Individuals
Transportation Total comments: 22	<u>Federal:</u> US EPA <u>Regional:</u> Santa Clara Valley Transportation Authority <u>County:</u> Merced County Board of Supervisors, Madera County Resource Management Agency. <u>City:</u> Gilroy Community Development. <u>Private:</u> San Jose Management Corporation, Willow Glen Neighborhood Association, Silver Leaf Neighborhood Association, Greater Gardner Coalition Neighborhood Action Coalition, Shasta Hanchett Neighborhood Association, Frazier Lake Airpark, Hanchett Residence Park	18 commenters: 1 Federal 1 Regional 2 County 1 City 4 Private 10 Individuals
Aesthetics and Visual Quality Total comments: 16	<u>County:</u> Santa Clara County Planning Office. <u>City:</u> Morgan Hill, San Jose <u>Private:</u> Greater Gardner Coalition Neighborhood Action Coalition, Silver Leaf Neighborhood Association, Shasta Hanchett Neighborhood Association, Hanchett Residence	14 commenters: 1 County 2 City 5 Private 6 Individuals

Topic & No. of Comments	TABLE 3 Organization Name of Commenters	No. of Commenters
	Park, Willow Glen Neighborhood Association, San Jose Management Corporation	
Socioeconomics, Communities, Environmental Justice Total comments: 16	<u>Federal:</u> US EPA <u>County:</u> Madera County Resource Management Agency, Merced County Board of Supervisors. <u>City:</u> Chowchilla, Gilroy Community Development. <u>Private:</u> Greater Gardner Coalition Neighborhood Action Coalition, Willow Glen Neighborhood Association, San Jose Word of Faith Christian Center, Save Our Trails	12 commenters: 1 Federal 2 County 2 City 4 Private 3 Individuals
Local Growth, Station Planning, and Land Use Total comments: 14	<u>State:</u> Public Utilities Commission Consumer Protection Safety Division, Rail Transit and Crossing Branch. <u>Regional:</u> Santa Clara Valley Transportation Authority; Grassland Water District, Grassland Resource Conservation District and Grassland Fund. <u>County:</u> Merced County Board of Supervisors, Madera County Transportation, Madera County Resource Management Agency. <u>City:</u> Chowchilla. <u>Private:</u> Greater Gardner Coalition Neighborhood Action Coalition, Planning and Conservation League, California Rail Foundation, Bay Rail Alliance and Transportation Solutions Defense and Education Fund	21 commenters: 1 State 2 Regional 3 County 1 City 4 Private 8 Individuals
Hydrology and Water Resources Total comments: 13	<u>Federal:</u> US EPA <u>Regional:</u> Santa Clara Valley Water District Community Projects Review; Grassland Water District, Resource Conservation District and Grassland Fund. <u>County:</u> Merced County Boards of Supervisors, Santa Clara County Parks and Recreation <u>Private:</u> Hanchett Residence Park, Shasta Hanchett Neighborhood Association, California Farm Bureau Federation Natural Resources Division	11 commenters: 1 Federal 2 Regional 2 County 1 Private 5 Individuals
Cultural Resources Total comments: 12	<u>State:</u> Caltrans Local Development Intergovernmental Review. <u>City:</u> Gilroy Community Development. <u>Private:</u> Preservation Action Council of San Jose, Shasta Hanchett Neighborhood Association, Greater Gardner Coalition Neighborhood Action Coalition, Willow Glen Neighborhood Association	9 commenters: 1 State 1 City 2 Private 5 Individuals
Air Quality Total comments: 12	<u>Federal:</u> US EPA <u>Regional:</u> San Joaquin Valley Air Pollution Control District. <u>County:</u> Merced County Board of Supervisors, Madera County Resource Management Agency. <u>Private:</u> Merced Mariposa County Asthma Coalition, Planning and Conservation League, California Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund, Silver Leaf Neighborhood Association	10 commenters: 1 Federal 1 Regional 2 County 3 Private 3 Individuals
Geology, Soils, Seismicity Total comments: 12	<u>Private:</u> Willow Glen Neighborhood Association, Greater Gardner Coalition Neighborhood Action Coalition	11 commenters: 1 Federal 2 Private 8 Individuals

Topic & No. of Comments	TABLE 3 Organization Name of Commenters	No. of Commenters
Parks, Recreation, Open Space Total comments: 11	<u>Regional:</u> Grassland Water District, Grassland Resource Conservation District and Grassland Fund. <u>County:</u> Santa Clara County Parks and Recreation. <u>Private:</u> Greater Gardner Coalition Neighborhood Action Coalition, Hanchett Residence Park, Shasta Hanchett Neighborhood Association, Willow Glen Neighborhood Association, Save Our Trails	8 commenters: 1 Regional 1 County 4 Private 2 Individuals
Agriculture Total comments: 10	<u>County:</u> Santa Clara County Planning Office, Madera County Resource Management Agency. <u>Private:</u> California Farm Bureau, Merced County Farm Bureau	8 commenters: 2 County 2 Private 4 Individuals
Safety and Security Total comments: 4	<u>Private:</u> Willow Glen Neighborhood Association, Willow Glen Neighborhood Association	2 commenters: 1 Private 1 Individual
Hazardous Wastes, Materials Total comments: 3	<u>Private:</u> Silver Leaf Neighborhood Association	2 commenters: 1 Private 1 Individual
Public Utilities & Energy Total comments: 3	<u>Regional:</u> Santa Clara Valley Water District Community Projects Review Unit	4 commenters: 1 Regional 3 Individuals
Electromagnetic Fields/Interference Total comments: 2		2 commenters: 2 Individuals
Public and Agency Involvement Total comments: 2	<u>State:</u> Department of Fish and Game Ecosystem Conservation Division <u>Private:</u> Frazier Lake Airpark	2 commenters: 1 State 1 Private
Alternatives Total comments: 2	<u>Federal:</u> US EPA <u>County:</u> Santa Clara County Parks and Recreation	1 commenter: 1 Federal 1 County
Cumulative Impacts Total comments: 2	<u>Federal:</u> US EPA <u>Regional:</u> Grassland Water District, Grassland Resources Conservation District and Grassland Fund	2 commenters: 1 Federal 1 Regional
Alignment, Station, Facility Alternatives (139 total comments)		
Alignment, Station, Facility Alternatives Total comments: 139	<u>Federal:</u> US Fish and Wildlife, US EPA <u>State:</u> Caltrans Local Development Intergovernmental Review, CA Department of Fish and Game, CA Natural Resources Agency Ecosystem Conservation Division, State Water Project Divisions of Operations and Maintenance, Public Utilities Commission Consumer Protection and Safety Division Rail Transit and Crossing Branch. <u>Regional:</u> Grassland Water District, Grassland Resource Conservation District, Grassland Fund; Santa Clara Valley Water District, Santa Clara Valley Transportation District, Transportation Agency of Monterey County <u>County:</u> Madera County Resource Management Agency, Merced County, Merced County Board of Supervisors, Madera County, Mariposa County Board of Supervisors. <u>City:</u> San Jose Department of Transportation, Madera Community Development, Gilroy, Chowchilla, San Jose, Morgan Hill, Atwater. <u>Private:</u> Planning and Conservation League, Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund, Willow Glen Neighborhood Association, Sierra Club, Building Association of Central	81 commenters: 2 Federal 4 State 3 Regional 4 County 7 City 9 Private 52 Individuals

Topic & No. of Comments	TABLE 3 Organization Name of Commenters	No. of Commenters
	California, Defenders of Wildlife, San Joaquin chapter, Morgan Hill Chamber of Commerce, Greater Gardner Neighborhood Action Coalition, Silver Leaf Neighborhood Association, California Farm Bureau Federation, Natural Resources and Environmental Division, Voices of San Jose	
Environmental/ Planning Process (73 total comments)		
Public and Agency Involvement Total comments: 73	<u>Federal:</u> US Fish and Wildlife. <u>State:</u> Public Utilities Commission, State Water Project, Caltrans <u>Regional:</u> Santa Clara Valley Transportation Authority, San Joaquin Valley Air Pollution Control District, Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Santa Clara Valley Water District Community Projects Review Unit <u>County:</u> San Benito County, Transportation Agency for Monterey County, Merced County Board of Supervisors, Santa Clara County Parks and Recreation. <u>City:</u> San Jose Dept of Transportation, Madera Community Development, Chowchilla. <u>Private:</u> Union Pacific Railroad, Hanchett Residence Park, Shasta Hanchett, Neighborhood Association, Wellington Corporation, Santa Fed Land Planning, Willow Glen Neighborhood Association, Greater Gardner Coalition Neighborhood Action Coalition CA Farm Bureau Federation Natural Resources and Environmental Division, Planning and Conservation League, CA Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund, San Jose Arena Management Corp	41 commenters: 4 Federal 5 State 4 Regional 5 County 3 City 3 Private 18 Individuals
Land Use and Property Acquisition (26 total comments)		
Property Acquisition Total comments: 26	<u>Private:</u> Union Pacific Railroad Company, Silver Leaf Neighborhood Association, New Horizons Condo Development, Shasta Hanchett Neighborhood Association	23 commenters: 4 Private 19 Individuals
Connectivity and Coordination With Other Transportation Facilities (20 total comments)		
Connectivity and Coordination With and Impacts to Other Transportation Facilities Total comments: 20	<u>State:</u> Caltrans Local Development Intergovernmental Review. <u>Regional:</u> Santa Clara Valley Transportation Authority. <u>County:</u> Transportation Agency for Monterey County, Merced County Board of Supervisors, Madera County Resource Management Agency. <u>City:</u> Chowchilla Planning Commission, San Jose Department of Transportation, Madera Community Development. <u>Private:</u> Union Pacific Railroad Company, Planning and Conservation League, Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund, Sierra Club, Willow Glen Neighborhood Association	17 commenters: 1 State 1 Regional 3 County 3 City 4 Private 5 Individual

Topic & No. of Comments	TABLE 3 Organization Name of Commenters	No. of Commenters
Evaluation Criteria (14 total comments)		
Evaluation Criteria (related to noise and vibration, air quality, and other topics) Total comments: 14	<u>State</u> : Department of Fish and Game <u>Regional</u> : San Joaquin Valley Air Pollution District, Grasslands Water District <u>County</u> : Santa Clara County <u>City</u> : Gilroy <u>Private</u> : Greater Gardner Neighborhood Action Coalition	8 commenters: 1 State 2 Regional 1 County 1 City 1 Private 2 Individuals
Project Funding/Cost (13 total comments)		
Project Funding/Cost Total comments: 13	<u>State</u> : Caltrans Local Development Intergovernmental Review <u>County</u> : Madera County Resource Management Agency, San Benito County Planning Department <u>City</u> : San Jose Department of Transportation <u>Private</u> : Greater Gardner Neighborhood Action Coalition, Operating Engineers Local #3	17 commenters: 1 State 2 County 1 City 2 Private 11 Individuals
Technologies (10 total comments)		
Technologies Total comments: 10	<u>State</u> : Public Utilities Commission Consumer Protection and Safety Division Rail Transit and Crossing Branch <u>City</u> : San Jose Department of Transportation	5 commenters: 1 State 1 City 3 Individuals
Health and Safety (8 total comments)		
Health and Safety Total comments: 8	<u>State</u> : Caltrans Local Development Intergovernmental Review <u>City</u> : Morgan Hill <u>Private</u> : Greater Gardner Coalition Neighborhood Action Coalition, Planning and Conservation League, California Rail Foundation, Bay Rail Alliance, Transportation Solutions Defense and Education Fund	7 commenters: 1 State 1 City 2 Private 3 Individuals
Program Support/Opposition (7 total comments)		
Program Support Total comments: 7	<u>City</u> : San Jose Department of Transportation <u>Private</u> : Operating Engineers Local #3	6 commenters: 1 City 1 Private 4 Individuals

Tables 4 - 13 that follow this section contain a summary of all comments submitted in writing or to a court reporter at the scoping meetings. Complete copies of comment cards, mailed and e-mailed comment letters, and scoping meeting transcripts are in Appendices H,I,J and K. Per the lists below, comments are organized first by general topic, then by sub-topic, and then by commenter type.

General comment categories

	Table No.
• Protection of the environment	Table 4
• Alignment, station, facility alternatives	Table 5
• Environmental/planning process	Table 6
• Connectivity and coordination with/impacts to other transportation facilities	Table 7
• Project funding	Table 8
• Health and safety	Table 9
• Program support/opposition	Table 10
• Technologies	Table 11
• Evaluation criteria	Table 12
• Land use and property acquisition	Table 13

Sub-topic comment categories

- Transportation
- Air quality
- Noise and vibration
- Electro-magnetic interference/electromagnetic fields (EMI/EMF)
- Public utilities and energy
- Biological resources and wetlands
- Hydrology and water resources
- Geology, Soils, Seismicity
- Hazardous wastes, materials
- Safety and security
- Socioeconomics, communities, and environmental justice
- Local growth, station planning, and land use
- Agricultural land
- Parks, recreation, and open space
- Aesthetics and visual quality
- Cultural resources
- Cumulative impacts
- Purpose and need
- Public and agency involvement

Commenter categories

- Federal agencies
- State agencies
- Regional agencies
- County agencies
- Cities
- Private organizations, corporations and associations
- Individuals/private property owners

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Estimate the miles of roads required for operation and access for emergency personnel in tunneled areas.	1.3 Purpose and Need
Purpose and Need - Individual/Private Property Owner		
Individual, Frances Schwab	A high-speed rail system is a more efficient and progressive mode of travel compared to private automobiles.	1.3 Purpose and Need
Individual, P.M. Gormley	Will high-speed trains operate on the UP and Caltrain tracks or will there be a separate set of tracks? Parking, maintenance access, and EMF exposure need to be considered as well.	1.3 Purpose and Need
Individual, Tessa and Cat Woodmansee	How many trains will pass by everyday?	1.3 Purpose and Need
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Is one controlling factor for the project the 2 hour 40 minute time frame for a trip from LA to San Francisco?	1.3 Purpose and Need
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will trains be running every three to five minutes? How late will trains run in the evening?	1.3 Purpose and Need
Alternatives - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Discuss the methodology proposed for any alternative design that involves tunneling, including equipment and planned locations for staging tunnel operations and methods for transportation of tunnel equipment.	2.3 Alternatives
Alternatives - County Agency		
Park Planner III, County of Santa Clara Parks and Recreation Department, Kimberly Brosseau	Incorporate the design of bridges rather than culverts to off-set impacts to floodplains, wildlife corridors, and waterway mitigations.	2.3 Alternatives

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	<p>Identify all transportation improvements proposed to provide access to the project from anticipated rider groups in the Bay Area, Merced, and surrounding population centers. Transportation improvements include transit connections, reduction of congestion, and increased bus service. Analyze and disclose the temporary and permanent environmental impacts of construction stations, parking facilities, maintenance and storage facilities, power propagation infrastructure, and required road developments and modifications.</p> <p>Describe the specific modifications to the existing Caltrain rail network and rail crossings required to be compatible with an HSR system. Demonstrate avoidance and minimization measures to reduce environmental impacts associated with construction of passenger stations, maintenance facilities and parking structures.</p> <p>Identify where proposed stations, parking facilities, and additional required infrastructure will be located in the project corridor.</p> <p>Disclose the associated impacts from station development on planned and unplanned growth.</p> <p>Describe the expected land use changes associated with station locations, including new transit services and other means of accessing the stations. Describe the associated environmental impacts of those land use changes.</p> <p>Identify how access to the HSR system will be integrated with the existing Caltrain system.</p> <p>Identify parties responsible for mitigating the environmental impacts associated with the indirect and cumulative impacts of the projected land use changes.</p> <p>Identify the timeline for improvements and maintenance.</p> <p>Include a comparison of potential impacts from 1) an alternative that would provide for concurrent construction of one project allowing for high speed train technology in addition to commuter train technology, and 2) construction of a proposed commuter rail project followed by a second, separate project of construction of a future high speed train corridor.</p> <p>Include project elements that will further reduce vehicle miles traveled. These elements include minimizing the number of parking spaces at the station to facilitate the use of transit, coordinating with transit providers to maximize station access by transit, designing new facilities to be pedestrian and bicycle-friendly, and supporting policies that will increase density and mixed-uses in the station areas.</p>	3.1 Transportation
Transportation - Regional Agency		
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	VTA has a role working with Caltrans in planning and funding local road network. The HSR project will be totally grade- separated from streets and roads that now cross the corridor at-grade. The EIR/EIS should address changes to traffic operations that may occur	3.1 Transportation
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	Consider how transit will operate in the corridor during construction. If Caltrain service is limited for a period of time, other operators may be called upon to provide bus services, existing shuttle, and transfer arrangements may be disrupted. Will need to consider transit alternatives during the construction period.	3.1 Transportation/ Construction Impacts
Transportation - County Agency		
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Interruption of traffic flow at local intersections has the potential to add significant delays to traffic. Ensure the project is designed with fully-grade separated crossings, routing, other designs, and mitigation measures to minimize the disruption to the county's existing circulation system.	3.1 Transportation
Resource Management Agency Director, Madera County, Rayburn Beach	Consider impacts on small community airports and the larger regional Fresno Air Terminal.	3.1 Transportation

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - City Agency		
City of Gilroy, Community Development Department, Don Dey	<p>Concerned about the project's impact on traffic volume and congestion, and recommend preparation of a specific project traffic impact analysis.</p> <p>Refer to recent Santa Clara County's South County efforts that address future roadway issues due to growth, including the VTA South County Circulation Study, the VTA Southern Gateway Study, and the US 101 /SR/Santa Theresa interchange (in design and environmental review).</p> <p>Completely study the existing, background, project, and cumulative traffic conditions for the area. Analyze the traffic conditions' impacts on Gilroy's circulation system, including freeway circulation.</p> <p>Assume reasonable walking distances for the new parking construction, so that residential neighborhoods are not impacted.</p>	3.1 Transportation
City of Gilroy, Community Development Department, Don Dey	Concerned about construction impacts and trenched/elevated tracks on traffic circulation problems. Need to phase construction, review construction impacts in the environmental document, and include mitigation measures for noise and vibration in the downtown areas during construction.	3.1 Transportation/ Construction Impacts
Transportation - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Under what circumstances would improvements to existing transportation corridors, including grade separations, result in new physical barriers in GG? What would the mitigations be?</p> <p>Regarding goals of the GGC (page iv): describe how HSR implementation on Caltrain lines or other ROW through GG that bifurcate multiple pedestrian and bicycle corridors can be considered low impact to GG</p> <p>Regarding Greater Gardner Action Plan #4f, refresh faded crosswalks and no parking zones where necessary throughout neighborhood include Gregory Plaza Tot Lot and W Virginia at Drake: how will either a fenced barrier or grade separations maintain or improve pedestrian safety in GG? Since Caltrain ROW is immediately adjacent to W Virginia/Drake and close to Gregory Plaza Tot Lot, will the no parking zone be eliminated? If so, which agency makes that decision? will this be coordinated with SJ DOT? Will any recently refreshed crosswalks referred to in current GG Action Plan #4f need to be removed, repainted or relocated? If so, will this be coordinated with SJ DOT? How will any disruption in current pedestrian safety such as removal of no parking zones or painted over crosswalks be communicated to residents? What community outreach in both Spanish and English will be provided? How will residents be notified given that the neighborhood is a mixture of owners and renters? If disruption in pedestrian safety for GG is required to implement fenced barrier or grade separators, what is the rationale to claim HST in GG is low impact? How will access and safety be ensured during construction and temporary road closures and/or detours?</p>	3.1 Transportation
SilverLeaf Neighborhood Association, Randy Froh	Concerned about traffic congestion due to lane mitigation.	3.1 Transportation
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	<p>How will the EIR/EIS outline and address the impacts of soil removal, hazardous waste storage and disposal so that traffic and pedestrian/bicycle activity in and around the Diridon Station area is not discouraged?</p> <p>How will high-speed rail accommodate the existing bike and pedestrian access to the Diridon Station area?</p> <p>Identify the proposed transition route from Diridon Station to San Jose International Airport.</p>	3.1 Transportation
Willow Glen Neighborhood Association, Richard Zappelli	<p>How will the proposed alignment and alternatives contribute, maintain, or improve access to the Gardner, Gregory Plaza and North Willow Glen neighborhoods?</p> <p>How will the proposed alignment and alternatives affect traffic and circulation in the Diridon Station Area?</p>	3.1 Transportation

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
San Jose Arena Management Corporation, Jim Goddard	<p>A sufficient number of conveniently located parking spaces should be preserved for HP Pavilion customers.</p> <p>The EIR/EIS should address the following issues:</p> <p>What is the expected parking demand for the Diridon high-speed rail station and how will this demand be met?</p> <p>To what extent will the project cause any changes to on-site and off-site spaces serving HP Pavilion? If changes are anticipated, what impacts would there be on functions that occur in the on-site parking lot (e.g. circus staging, action sports events)?</p> <p>To what extent does the project envision shared parking facilities between high-speed rail and HP Pavilion users? If these are planned, what steps would be taken to ensure availability of spaces for HP Pavilion customers arriving for events?</p> <p>To what extent will the project cause increased volumes and congestion at intersections near HP Pavilion between 6:30-7:30 p.m. on a typical weekday?</p> <p>To what extent will the project cause increased delays for motorists entering or exiting on- or off-site parking facilities for HP Pavilion events?</p> <p>To what extent would the project involve closure of streets or parking access locations used by HP Pavilion customers?</p> <p>To what extent would the project impact special transportation functions, including taxis, limousines, and auto drop off/pick up?</p> <p>To what extent would the project affect existing pedestrian movements to and from HP Pavilion?</p> <p>What provisions would be made for persons walking between the Diridon High-Speed Rail station and HP Pavilion?</p>	3.1 Transportation
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding Greater Gardner Action Plan #8d, improve neighborhood pedestrian crossings: will pedestrian access across any alignments be coordinated with GG objectives to calm neighborhood traffic and Increase pedestrian convenience? Will HSR impact any enhanced crosswalks in GG that occur on Caltrain tracks or other chosen route tracks surrounding Virginia, Bird, and Delmas, and if so, how? Will pedestrian access studies be completed in GG prior to pedestrian or vehicular access across HST alignment to gauge impacts? How will pedestrian access be handicap enabled with ramps? What will be the accommodations for guide dogs? What are the plans of HSR for highly visible crosswalks to coordinate with GG action plan?</p>	3.1 Transportation
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding GGC Initiative #1, repair/reconstruct sidewalks, streets, etc: how will either an additional fenced barrier or grade separations specifically maintain or improve any street repair impacts in Greater Gardner? Will HSR activity impact streetworks projects occurring, and if so, how so? How will HSR plan to coordinate and maintain the GG street replacement schedule? How is the use of heavy construction equipment during HSR construction expected to impact the street repair schedule? How will HSR adhere to the action plan directive to work directly with DOT and GG action coalition on street improvement? If HSR and DOT/GG NAC are in contention over various streetworks projects, what is the mediation process?</p> <p>Will there be compensation for any impacted streetworks projects? Who will decide the compensation schedule? The following street improvements are ongoing projects coordinated by San Jose DOT, SJ Dept of Public Works, and San Jose Redevelopment Agency: Prevost St from Fuller to Minnesota, Harrison St and Harrison Ave, Gregory St from Fuller Ave to Helen St, W. Virginia St sidewalk from railroad to W. Virginia and Drake to 87 overpass, Fuller curb, gutter and church driveway curb cut on Fuller Ave. These are adjacent to Caltrain tracks or ROW. What is the HSR detailed plan for these streetwork initiatives? How will GG be compensated for damaged or delayed existing streetworks projects on or near the Caltrain tracks or near any proposed route through GG as a result of HSR?</p> <p>Regarding Greater Gardner Action Plan #10a, reduce neighborhood traffic impacts, conduct analysis and signing to enforce no truck traffic on all streets and limit truck weight on all traffic through GG: how will implementation of HST on Caltrain tracks wit nearby station maintain or improve GG traffic impacts? How will construction of a large nearby train station and HST impact traffic in GG? What metrics will used to measure traffic impacts?</p> <p>What will be the impacts to GG in the event HST construction requires road closures? How will that be mitigated? Will HSR adhere to GG NAC guidelines on truck weight restrictions during the construction process? If so what is the implementation plan and how will this be enforced? If not, what mitigations will be utilized?</p>	3.1 Transportation/ Construction Impacts

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
San Jose Arena Management Corporation, Jim Goddard	<p>Effective traffic, parking and pedestrian operations for HP Pavilion need to be preserved during construction of the Diridon high-speed rail station.</p> <p>The EIR/EIS should address the following issues:</p> <p>What is the expected duration of construction for the Diridon station and track bed along the HP Pavilion property?</p> <p>What are the principal states of construction related to impacts on traffic and/or parking for HP Pavilion? What are the expected start and end dates for each stage?</p> <p>To what extent will traffic access routes and/or parking for HP Pavilion customers be affected during the various construction stages, and what mitigation measures will be applied to alleviate the impacts?</p>	3.1 Transportation/ Construction Impacts
Transportation - Individual/Private Property Owner		
Individual, Derek Young	<p>What will happen to the Virginia Avenue crossing in San Jose?</p> <p>Will there be road closures when overpasses are rebuilt to accommodate the extra tracks?</p>	3.1 Transportation
Individual, Kim Karcher	<p>What are the "critical intersections" identified in the study area, relative to the Greater Gardner neighborhood?</p> <p>What highway and roadway improvements in the Greater Gardner neighborhood have been targeted for improvement in the next 5 years?</p> <p>Where are they located in relation to the proposed alignment?</p> <p>Where have programs been developed that encourage construction workers to carpool or use public transportation to travel to and from construction sites?</p>	3.1 Transportation
Individual, Don Loquiao	Hwy. 152 is a heavily-used main thoroughfare by residents in the area.	3.1 Transportation
Individual, Janet Hebert	Concerned about possible impacts to access to Monterey Highway from Palm Avenue in the Coyote Valley.	3.1 Transportation
Individual, Tessa and Cat Woodmansee	<p>Pedestrian and bike access at Stockton and The Alameda and around the Diridon Station and HP Pavilion area needs to be improved.</p> <p>Pedestrians and bicyclists need to be protected from the high volume of cars in this area.</p> <p>The area from the Taylor and Stockton intersection to the highway needs to be improved for pedestrian and bike safety.</p> <p>The high-speed rail project will increase the amount of traffic in the whole community and affect bicycle and pedestrian safety.</p> <p>Infrastructure around the Diridon Station needs to be improved to facilitate the high levels of activity in this area.</p>	3.1 Transportation
Silverleaf Neighborhood Association, Deborah Miller	<p>Concerned about increased congestion as a result of the narrowing of Monterey Highway at a time when new housing developments are being planned.</p> <p>Address the alignment's planned location and its impact on Monterey Highway.</p> <p>Detail plans for the pedestrian bridge and connection to the new development/park from Silver Leaf.</p> <p>Address how traffic will be controlled, assuming the narrowing of Monterey Highway and continued high traffic from Walmart and the new development.</p>	3.1 Transportation

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Air Quality - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	<p>Provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant non-attainment areas, and potential air quality impacts of the project (including cumulative and indirect impacts) for each fully evaluated alternative.</p> <p>Include an analysis of impacts from the construction and operation of the proposed alternatives. Include monitoring data, any anticipated exceedances of NAAQS, and estimates of all criteria pollutant emissions, including the federal 8-hour ozone standard and the PM2.5 standard. Disclose the available information about the health risks associated with vehicle emissions, sensitive receptors in the vicinity of the project area, and how the proposed project will affect current emission levels.</p> <p>Work with the Bay Area Air Quality Management District (BAAQMD), San Joaquin Valley Air Pollution Control District (SJVAPCD), Caltrans, and MTC to ensure that methods to estimate emissions and anticipated emissions values from the proposed project are consistent with Air Quality Management Plan and Regional Transportation Plan (RTP) conformity determinations.</p> <p>Use the most current EPA-approved model to estimate emissions, including re-entrained PM-10 emissions and present all methods and assumptions for analyses with pertinent air quality analyses and conclusions.</p> <p>Identify potential hotspot impacts, especially where parking lots, idling locomotives, idling buses, and road modifications are proposed.</p> <p>The proposed project may require a general conformity determination by FRA. If so, the Draft EIS should include the general conformity determination with related mitigation requirements.</p> <p>If the proposed project requires modification of existing grade crossings, road networks and construction of parking lots and transit facilities, the Draft EIS should identify what elements will require funding or approval by the Federal Highway Administration or Federal Transit Administration. CHSRA should work with BAAQMD, SJVAPCD, and MTC to ensure that applicable elements of the project are consistent with future revisions of the RTP. The identification of sensitive receptors and carbon monoxide and particulate matter hotspot analyses should be included in the Draft EIS. CHSRA should identify and commit to requirements to reduce emissions because of the multiple receptors along the corridor.</p> <p>A Construction Emissions Mitigation Plan should be incorporated into the Draft EIS in order to reduce impacts associated with fugitive dust and emissions of fine particulate matter (PM2.5), diesel exhaust, and mobile source air toxics from construction-related activities.</p> <p>Install wind fencing and phase grading operations where appropriate. Operate water trucks for stabilization of surfaces under windy conditions. When healing material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 mph. Limit speed of earth-moving equipment to 10 mph.</p> <p>Minimize use, trips, and unnecessary idling of heavy equipment.</p> <p>Maintain and tune engines to perform at EPA certification levels. Perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications.</p> <p>Prohibit any tampering with engines. Require continuing adherence to manufacturer's recommendations.</p> <p>Lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. CHSRA should commit to using the best available emissions control technologies on all equipment.</p> <p>Utilize EPA-registered particulate traps and other controls to reduce emissions of diesel particulate matter and other pollutants at the construction site.</p>	3.2 Air Quality

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Specify the means by which impacts to sensitive receptors, such as children or the elderly, will be minimized. Identify where implementation of mitigation measures is rejected based on economic infeasibility. Provide the justification behind not committing to all mitigation measures. Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. Meet EPA diesel fuel requirements for off-road and on-highway and use alternative fuels such as natural gas and electric, where appropriate. Identify the cumulative contributions and reductions to greenhouse gas emissions that will result from implementation of the project. Discuss the potential impacts of climate change on the project. Identify if there are specific mitigation measures needed to 1) protect the project from the effects of climate change, 2) reduce the project's adverse air quality effects, and/or 3) promote pollution prevention or environmental stewardship.	3.2 Air Quality
Air Quality - Regional Agency		
Director of Permit Services, San Joaquin Valley Air Pollution Control District, David Warner	While there are no established significance thresholds for greenhouse gas emissions, include a discussion of emissions generated by the project and the effect they will have - if any - on climate change. Emissions from permitted (stationary) and non-permitted (mobile sources) should be analyzed separately. The project should be considered to have a significant adverse impact on air quality if emissions from either source exceed the following amounts: 10 tons per year of NOx, 10 tons per year of ROG, or 15 tons per year of PM10 or less in size If located near residential/sensitive receptors, determine the health impacts of Toxic Air Contaminants to nearby receptors. Determine if TACs are a concern. Perform a Health Risk Assessment and contact the district to review the proposed modeling approach. All input and output files necessary to validate the analysis should be submitted to the district in electronic format (Leland Villalvazo hramodeler@valleyair.org) (TACs can be found at www.valleyair.org/busind/pto/tox_resources/airqualitymonitoring/htm) The project is subject to District Rule 9510 (indirect source review) because, upon full build out, it exceeds 9000 square feet of space. It is intended to mitigate a project's impact on air through design elements or payment of applicable offsite mitigation fees. The project is required to submit an Air Impact Assessment to the district no later than seeking final discretionary approval and to pay any applicable offsite mitigation fees before issuance of the first building permit. If emissions of Nox and PM10 generated during construction exceed the district's thresholds of two tons for any one year, the project is subject to off site mitigation fees.	3.2 Air Quality
Air Quality - County Agency		
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Interruptions to local circulation may increase local air pollution, including increases in carbon monoxide hot spots that may be created if cars are required to idle for extended periods at at-grade-crossings or other facilities. Evaluate the potential conflicts the project has with the General Plan's policies to reduce air pollution.	3.2 Air Quality
Resource Management Agency Director, Madera County, Rayburn Beach	Increased development within the Central Valley will further denigrate local air quality.	3.2 Air Quality

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Air Quality - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	The Authority has indicated that it intends the entire HSR to be carbon neutral. Consider the system's carbon balance with not only direct CO2 production in powering the trains, but also the CO2 by passengers and employees accessing the stations. Provide incentives to encourage transit providers to use carbon neutral transit to serve the stations.	3.2 Air Quality
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	The PEIR/S indicated traffic and air quality impacts associated with stations could be fully mitigated at the project level. The project EIR should include identification of specific proposed station location, characteristics, and analysis of the potential impacts (noise, traffic, air quality, land use). The project EIR should mitigate potentially significant impacts. Among mitigation measures, should provide incentives to use public transit to reach stations and disincentives to use private automobiles for station access, such as no free parking and parking priced to discourage private autos. Consider requiring local jurisdictions to implement parking restrictions in areas surrounding stations, to reduce passengers leaving their cars parked on local streets near the station.	3.2 Air Quality, 3.1 Transportation
SilverLeaf Neighborhood Association, Randy Froh	Concerned about the dust and dirt that will be in the air due to the continuous flow of trains (minimum 6 trains per hour per direction).	3.2 Air Quality
Merced Mariposa County Asthma Coalition, Anna M. Sanchez	High-speed rail has many air quality benefits.	3.2 Air Quality
Air Quality - Individual/Private Property Owner		
Individual, Jerry Laster	Analysis should reflect changes in the U.S. Environmental Protection Agency's potential attempt to regulate greenhouse gases. A review of previous federal standards for changes by the new administration should be included. "Hotspots" within the proposed corridor should be identified. Detailed design practices and mitigation strategies related to air quality and global climate change should be developed.	3.2 Air Quality
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will high-speed trains contaminate the air?	3.2 Air Quality
Individual, Tom Sawyer	The claim that high-speed rail will emit 1/5 the emissions of a car and 1/3 the emissions of an airplane cannot be validated without comparable estimates for electrical usage of high-speed rail. Provide an estimate of KW/hour/passenger-mile.	3.2 Air Quality
Noise and Vibration - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Address the potential noise and vibration impact to residents, businesses, and wildlife related to the construction and operation of the proposed project. All noise impacts should be fully analyzed. Include commitments to implement measures to adequately mitigate noise impacts associated with the project. Assess noise and vibration exposure to determine the severity of impacts near the proposed HSR route.	3.3 Noise and Vibration
Noise and Vibration - State Agency		
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	Noise and vibration may have impacts such as nest abandonment by birds nesting near tracks. The state threatened Swainson's hawk is known to nest in trees along the Henry Miller Road route. Nest abandonment caused by train travel could be a significant impact. Noise and vibration will impact sensitive land uses, including department wildlife areas and conservation lands. These areas should be considered sensitive land uses and evaluated with a minimum 1000-foot study area. Examine noise below surface vibration and surface vibration impacts on wildlife. Study design should be approved by the department and USFWS.	3.3 Noise and Vibration

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Noise and Vibration - County Agency		
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Project has the potential to add significant noise impacts, especially where it will involve at-grade crossings in established communities. Noise generated by the project should be evaluated against the County's noise exposure standards in the General Plan.	3.3 Noise and Vibration
Noise and Vibration - City Agency		
City of San Jose District 6, Pierluigi Oliverio	Identify the true decibel level of the high-speed train, and compare it to the decibels of everyday noises that people easily understand, like a blender or a barking dog.	3.3 Noise and Vibration
City of Gilroy, Community Development Department, Don Dey	Concerned about potentially significant impacts the project may have on noise levels and vibration to existing buildings and residences. Need to mitigate to meet Gilroy's noise standards. Recommend special studies to determine the impact of trains vibrations on unreinforced masonry structures downtown.	3.3 Noise and Vibration
Noise and Vibration - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Address in detail the project's impacts on nearby residences and businesses for noise and vibration. If mitigation measures such as sound barriers are proposed, the secondary impacts associated with those measures also need to be assessed and their visual and aesthetic impacts to community character and cohesion.	3.3 Noise and Vibration

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>The city's General Plan features a long range exterior day-night average (Ldn) noise objective of Ldn 55 dBA whereas the project considers San Jose to have an ambient noise level greater than 60 dBA Ldn (assuming San Jose is considered an Urban or Noisy suburban region). What accounts for the differences? Use the city's significance criteria to define whether HSR noise impacts are significant with respect to adjacent residential, commercial, park, school, or other uses. at 55 dBA, these are quieter than HSR ambient noise level assumptions. Are the project assumptions in conflict with Gardner targets, which are attempting to adhere to the city's guidelines? If so, what is the mitigation plan for Gardner with respect to neighborhood noise levels and any increase from the project? How will Gardner be compensated for any increase?</p> <p>The results of the screening analysis were adjusted to account for noise reductions from the elimination of at grade crossings on existing rail lines. Where the HST alignment would share the rail corridor, the Gardner community has grade separations for Caltrain, did the screening analysis exclude any noise reductions for Gardner for places where they already exist? Are the grade separations required for noise mitigation somehow different than Gardner's historic grade separations?</p> <p>What other mitigations are considered other than barrier walls? Were barrier walls used previously in similar situations with high speed rail? If so, what were the results? What noise metric will be used to determine which noise barrier to use? Will it be the same metric used to gauge sound walls? the SJSNIGGAP initiative to mitigate noise, 7b and 7c, look to install and/or improve sound walls along 280 east from Gregory Plaza at Caltrain tracks to highway 87 will install sound walls in almost the exact location as the HSR sound walls, only at different angles as the two transportation corridors 280 and Caltrain come together. Are there any safety issues, i.e. earthquakes with numerous sound walls installed at the same locations?</p> <p>Does either HSR or 280 sound wall preclude the other sound wall from being built and if so, what is the mitigation plan? Will the construction of HSR cause DOT to stop assessing or working on the proposed 280 sound walls and what is the mitigation plan? Are appeals in process?</p> <p>What is the proposed height for sound wall for each alternative configuration including bypassing the neighborhood? Will you provide shadow maps of the area affected by these sound walls or any increase track height through the neighborhood? What mitigations are proposed for those impacted by shadows? What will be the appeal process for those impacted by the sound walls (a different group impacted by the train)? Which alternative noise barriers can be used for each section of the Gardner including: Guadalupe/87 freeway crossover into Gardner, Fuller St east of Bird, Prevost and Delmas grade separations, Bird grade separation, west of Bird, between Bird and Harrison, W. Virginia and Harrison, 280 crossover out of Gardner?</p> <p>Low levels of HST noise can result in interference but not necessarily result in annoyance. The number and frequency of HST operations must exceed a certain threshold before reaching annoying levels. Interference is a short-term occurrence, and annoyance, because of the emotional component is long term, and annoyance is the appropriate criteria in evaluating the receiver experience in open spaces using the metric, Time Audible. As far as annoyance, why did you choose not to use the same criterion in Gardner since the combination of elevated structures and homes immediately adjacent to the tracks mean high levels of HST noise? Given table 3.4-3 of the Programmatic EIR lists a percent of time audible of 50 with a 19-21 percent time annoyed, and since trains will enter Gardner at 15 per hour, and assuming a few minutes per impact, that would equate to a 50 percent time audible for Gardner and the same annoyance factors, even though Gardner is a residential area, correct?</p>	3.3 Noise and Vibration

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>The 100 ft vibration impacts appear unlikely to many Gardner residents. Are there any railroad studies or other high speed train implementations where vibration effects can be proven to be limited to only 100 ft radius of the train? What is the impact of varying soil types on felt vibrations? In Gardner's swamp fill soil, what will the expected vibration radius be? Does the at-grade Caltrain versus possible HST elevated structures mean that despite statements about HST as quieter than diesel trains, not be true in Gardner? Do track elevations change the resulting answer regarding 100 ft vibration impacts? Consider these questions with any other planned routes through Gardner, in addition to the existing Caltrain corridor.</p> <p>What are the impacts of this level of sound and vibration on historic properties in Gardner, most of which were built between 1880-1930 including: foundation damage to properties less than 100 ft away from tracks, 200 ft away, 300 ft away, 400 ft away, 500 ft away? Damage to windows and window rattling for properties less than 100 ft, less than 200 ft, 300 ft away, 400 ft away, and 500 ft away? Damage to stucco for properties less than 100 ft, less than 200 ft, 300 ft away, 400 ft away, 500 ft away?</p> <p>Regarding 3.4-11 in the Programmatic EIR: identify noise from horns and operations based on the increased frequency of train operations planned for HST. We understand HST is planning 18 trains per hour, please assume Gardner will be designated as a railway quiet zone</p> <p>Regarding 3.4-19 in the Programmatic EIR: from Diridon to Gilroy, there are 42.4 miles where noise impacts are rated medium to high and vibration impacts are rated medium. Evaluate the impact on adjacent properties caused by permanent noise and vibration increases from rail operations and with construction for each route proposed through Gardner including areas: immediately facing tracks (350-600 Fuller block and Fuller Ave park), backyard facing tracks (300-500 block Jerome (even numbers), one parcel away from tracks (300-600 block Hull odd and Jerome 300-600 odd), Biebrach Park, three blocks from tracks (W. VA east of Bird and Atlanta Ave), Harrison (600 block immediately adjacent to tracks, 700 block two blocks from tracks), W VA and Drake St, Gregory Plaza tot lot, and Fuller Los Gatos Creek bridge. Evaluate how noise would vary with different vertical track alignments (i.e. tunnel, trench, at grade, elevated), including all three operators. Outline methods to reduce impacts to less than significant, and evaluate for visual impacts as well.</p> <p>Regarding 3.4-19 in the Programmatic EIR: elaborate on the four schools located from Diridon to Gilroy and does this include Gardner Academy (502 Illinois Ave)? How will noise and vibration affect park user experience at each Gardner park, including Fuller, Biebrach, Hummingbird, Gardner Academy Soccer Field, Gregory Plaza tot lot?</p> <p>From the types of damage (cracked foundations, etc.) outline mitigations for structures at the following locations as they pertain to HST. What level of proof will be property owners be required to present? Immediately facing tracks (350-600 Fuller block and Fuller Ave park), backyard facing tracks (300-500 block Jerome (even numbers), one parcel away from tracks (300-600 block Hull odd and Jerome 300-600 odd), Biebrach Park, three blocks from tracks (W. VA east of Bird and Atlanta Ave), Harrison (600 block immediately adjacent to tracks, 700 block two blocks from tracks), W VA and Drake St, Gregory Plaza tot lot and Fuller Los Gatos Creek bridge, Hummingbird Park, and Word of Faith Church immediately facing tracks.</p>	3.3 Noise and Vibration
SilverLeaf Neighborhood Association, Randy Froh	Concerned about noise and vibration increasing due to 6 to 8 trains running per direction per hour.	3.3 Noise and Vibration
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	<p>Will the high-speed train horns be sounded at grade crossings?</p> <p>How will noise levels be measured and mitigated?</p> <p>Would there be a noise impact resulting from the train exiting an underground tunnel at a high rate of speed?</p> <p>How loud is the train at 100 feet away from the alignment?</p> <p>If noise is measured 1000 feet from the centerline right of way, what are the exact notification boundaries?</p>	3.3 Noise and Vibration
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and alternatives affect existing noise conditions within the Greater Gardner and North Willow Glen neighborhoods between Auzerai and Tamien Station? Can noise significance be lowered by one full measure due to the elimination of the use of horns at West Virginia, since trains use their horns as they approach Tamien even without a grade crossing?	3.3 Noise and Vibration

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Table 3.4-5 in the Programmatic EIR lists various construction noise levels at 100 ft, which are significantly under the city's criteria. Evaluate the impact on adjacent properties, caused by vibration from construction, including: immediate facing tracks 350-600 Fuller and Fuller Ave Park, backyard facing tracks 300-500 Jerome (even numbers), one parcel away from tracks 300-600 Hull (odd) and Jerome 300-600 (odd), Biebrach Park, three blocks from tracks at W VA (east of Bird) and Atlanta Ave, Harrison 600 block immediately adjacent to tracks, and 700 block two blocks from tracks, W VA St and Drake St, Gregory Plaza tot lot, and Fuller Los Gatos Creek bridge. Analyze construction and engineering techniques that would reduce construction noise and excavation impacts on adjacent properties to preserve existing vegetation or provide extensive new mitigation screening, including: specifying the quietest equipment available, turning off equipment during periods of non use, stopping at Diridon, and having a bus bridge for construction period.	3.3 Noise and Vibration/Construction Impacts
Noise and Vibration - Individual/Private Property Owner		
Individual, Kin Cheung	If high-speed trains share the same track as Caltrain, then more trains will pass through resulting in more noise (particularly the increased frequency of the train horn).	3.3 Noise and Vibration
Individual, Derek Young	How does the noise of the proposed high-speed train compare to the Acela Express trains that run in the Boston-Washington corridor? Does the proposed high-speed train cause more vibration than a standard freight train running at 60 mph?	3.3 Noise and Vibration
Individual, Daniel Erceg	Noise impacts will be unbearable due to the high speeds and frequency of the trains.	3.3 Noise and Vibration
Individual, Jody Davidson	Be aware that sound travels farther on elevated tracks. Existing acoustical studies from other countries should not be used for these reasons: 1) differences in topography, 2) variation in sensitivity of equipment used depending on the manufacturer, 3) variation in methodology of measuring, 4) sound measurements should be taken when two or more high-speed trains pass one another at the speed that will be run through urban, natural, and farmland areas.	3.3 Noise and Vibration
Individual, Jerry Laster	Figure 3.4-3 of the Final Bay Area to Central Valley High-Speed Train Program EIR/EIS shows speeds of up to 125 mph for the San Jose to Merced segment, and the project EIR/EIS should indicate the increased noise level of higher speed operations. Though Figure 3.4-3 shows a potential increase in average operating speeds south of San Jose, Figures 3.4-6 and 3.4-7 do not show differences in noise or vibration. The project EIR/EIS should clarify the design, including reduced noise levels, for the segment.	3.3 Noise and Vibration
Hanchett Residence Park, Deborah Arant	How will noise levels be measured and mitigated? Would there be a noise impact resulting from the train exiting an underground tunnel at a high rate of speed? How loud is the train at 100 feet away from the alignment? If noise is measured 1000 feet from the centerline right of way, what are the exact notification boundaries?	3.3 Noise and Vibration
Individual, Kim Karcher	Concerned that high-speed train traveling more frequently will add significantly to current noise levels. How will the effects of noise and vibration impacts generated during construction of the alignment be mitigated for the homeless population in the Greater Gardner neighborhood? What noise mitigation strategies besides sound barrier walls will be considered for the neighborhood? Will berms with native plantings be considered for noise mitigation? What is the maximum decibel level of the quietest available construction equipment that would be used in the neighborhood? What types of track treatments could be considered for vibration mitigation in the neighborhood? What noise mitigation strategies could be employed in order to reduce the potential noise impact rating by two categories (i.e. from high to low) in the neighborhood?	3.3 Noise and Vibration
Individual, Tom Sawyer	Can a speed and noise profile be provided for the route between San Francisco and Los Angeles?	3.3 Noise and Vibration
Individual, Lawrence Ames	Will the tracks be routinely maintained to minimize noise impacts? How loud will the trains be in comparison to the current freight trains, nearby freeways, and airplanes flying overhead? Will sound walls be constructed in residential communities? Can "tuned dampening" with resonant cavities be implemented to absorb the squeal of the high-speed train wheels?	3.3 Noise and Vibration
Individual, Diane Solomon	The high-speed trains should not be too noisy.	3.3 Noise and Vibration

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Don Loquiao	Concerned about noise impacts during construction and from the high-speed trains themselves.	3.3 Noise and Vibration
Individual, Conrad Lather	Concerned about how noise impacts will affect Gilroy residents.	3.3 Noise and Vibration
Individual, Gary Jansen	The project must analyze and mitigate the potentially severe level of damage that could be caused by increased vibration in the North Willow Glen-Gardner area. With enough vibration, heavy objects can sink and subside deeper into the ground, and damage could be more severe under wet winter conditions. Major structural repairs could be required for these structures.	3.3 Noise and Vibration
Individual, Tavy Dumont	Concerned about noise, vibration, and the appearance of a sound wall.	3.3 Noise and Vibration
Individual, Darlene Sanchez	Residents living adjacent to the tracks already cope with noise and vibration impacts from trains running all day and night and airplanes overhead.	3.3 Noise and Vibration
Individual, Gary Jansen	The project must analyze and mitigate the potentially severe level of damage that could be caused by increased levels of ground vibration caused by the increased number of trains passing by. The vibration increase could also lead to severe structural damage to these buildings over time.	3.3 Noise and Vibration
Individual, Janet Hebert	Own property adjacent to the railroad and concerned about noise and vibration.	3.3 Noise and Vibration
Individual, Matt Duchesne	The noise from the bells and whistles at the two at-grade crossings (W. Virginia and Azuens at Bird Avenue) is extremely loud. Eliminating the two at-grade crossings through tunnels or road closures would reduce noise impacts of high-speed trains traveling in the area.	3.3 Noise and Vibration
Individual, Monique Serrano	Concerned about how noise and vibration impacts from the high-speed trains will affect house.	3.3 Noise and Vibration
Individual, Jessie Villicana	Residents along the proposed alignment are subject to high levels of noise, soot, and vibrations generated by current trains, and these negative impacts will increase with high-speed trains.	3.3 Noise and Vibration
Individual, Patricia Gormley	Steel wheels on steel tracks and the air displacement of a high-speed train are noisy. North Willow Glen/Gardner neighborhood residents are already subjected to noise and pollution from the airport, trains and highways. High-speed train operation hours are unacceptable, and quiet time hours should be expanded beyond 12-6 AM. The projected frequency of trains per hour is too high.	3.3 Noise and Vibration
Individual, Tessa and Cat Woodmansee	Concerned about the noise at Stockton and Taylor.	3.3 Noise and Vibration
Silverleaf Neighborhood Association, Deborah Miller	Studies on high-speed rail in Japan and Europe reveal that noise was a big issue in Japan, which resulted in laws that set maximum noise levels and reduced train speed in densely inhabited areas. Concerned that CHSRA state that speed reductions were not under consideration as designated time to destination goals need to be met. High-speed trains running down Monterey Highway may reach speeds upwards of 200 mph directly behind homes at a minimum of 14 times an hour. Concerned about damage to neighborhood homes due to shaking and vibration. Concerned about noise from rail operations. Identify plans for the sound wall and provide technical data regarding sounds that are emitted and blocked by the sound wall. Identify the size, material make up, and proposed location of the soundwall and who will be responsible for its maintenance. Address legal recourse for citizens for damages to their homes as a result from shaking/vibration.	3.3 Noise and Vibration

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will there be sound walls? Explain FRA requirements for noise protection. Concerned about vibrations from the train and effects of vibration on houses in the area. Will the CHSRA be responsible for damage done to these homes? How noisy will the trains be? Is there data available about the noise levels of high-speed trains used in Europe and Asia?	3.3 Noise and Vibration
Individual, Patricia Gormley	Residents in the North Willow Glen/Gardner community should provide input on limits set on construction hours and the use of heavy equipment. Vibrations from current train operations and construction of the high-speed train project will further damage already weak building foundations.	3.3 Noise and Vibration/ Construction Impacts
Silverleaf Neighborhood Association, Deborah Miller	Concerned about construction noise and obstructions. Identify construction operations, including time frame, staging, noise, potentially hazardous waste, and clean up.	3.3 Noise and Vibration/ Construction Impacts
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Concerned about the impact of large trucks on traffic around the school, as well as the impact of construction traffic on Virginia Avenue. The community is already surrounded by bridges and overpasses. Concerned that the streets will break as a result of construction traffic. Concerned about weight restrictions on the roads.	3.3 Noise and Vibration/ Construction Impacts
Individual, Kim Karcher	What low-impact construction techniques will be considered to reduce ground-borne vibration during construction? How will nighttime construction lighting requirements for the proposed alignment in the Greater Gardner neighborhood be harmonized with efforts to reduce light pollution in the neighborhood or adjacent neighborhoods? Will nighttime construction lighting requirements interfere with the Castle Rock State Park's designation as a dark sky preserve?	3.3 Noise and Vibration/ Construction Impacts

EMI/EMF - Individual/Private Property Owner

Individual, Jody Davidson	Investigate potential health impacts to people and wildlife from continuous exposure to electromagnetic field radiation and RF	3.4 EMI/EMF
Individual, Kim Karcher	What mitigation strategies will be used to counter electromagnetic interference from the high-speed train's overhead catenary power supply with electronic and electrical devices in the Greater Gardner neighborhood?	3.4 EMI/EMF

Public Utilities and Energy - Federal Agency

Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Identify the number and capacity of energy facilities that were either operational or under construction as of 2008 and discuss whether the future supply is expected to be adequate to meet growth in demand, given the number of power plants planned. Discuss the cumulative impact of other planned projects that will also increase demand on the existing energy supply. Reasonably foreseeable projects include: 1) the extension of BART to Warm Springs, San Jose and Santa Clara, 2) the extension of light rail projects in San Jose and 3) Dumbarton Rail Corridor.	3.5 Public Utilities and Energy
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Public Utilities and Energy - Individual/Private Property Owner

Individual, Julie Benabente	A high-speed train system would significantly benefit the environment through reduced fossil fuel usage.	3.5 Public Utilities and Energy
Individual, Jody Davidson	Thoroughly assess and mitigate any high-voltage DB transmissions (HVDC) that interconnect wind farms, power generating plants, and transformers from power generation and energy storage cells	3.5 Public Utilities and Energy
Individual, Lawrence Ames	Support towers for high-voltage power lines along Los Gatos Creek would need to be relocated if an elevated high-speed train structure is constructed. The use of overhead wiring requires larger overhead clearances and would therefore increase the cost of bridges and tunnels. What are the environmental impacts of overhead wires? There needs to be GFI-protection if power is supplied by overhead wires or electrified third-rail.	3.5 Public Utilities and Energy

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Biological Resources and Wetlands - Federal Agency		
Refuge Manager, US Fish and Wildlife, Kim Forrest	<p>The Henry Miller Avenue alignment and Hwy. 140 alignment bisect the GEA through the middle, which will interfere with critical wildlife corridors, aggravate the isolation of wildlife populations, interfere with waterfowl/waterbird nesting and breeding, and increase wildlife mortality and disturbance.</p> <p>The typical track layout with chain link fencing and soundwalls will create a profound barrier.</p> <p>There is little recognition of the ongoing conservation efforts in the EIR/EIS for the project. There is no mention of the largest category of conservation protection - USFWS conservation easements on private property.</p>	3.6 Biological Resources and Wetlands
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	<p>The Draft EIS should address wildlife movement impacts associated with the proposal and present mitigating measures. Incorporate information developed for the California Missing Linkages Report and identify how Project alternatives have been designed to allow for continued wildlife movement (see Internet URL included in comment, in Appendix XX).</p> <p>Use data developed for the statewide California Wildlife Action Plan (CWAP) to inform the siting of project alternatives and mitigation. Identify the specific design changes proposed to avoid resources.</p> <p>Facilitate a meeting of scientists and local experts to explore specific locations and design features for wildlife crossings that are needed.</p> <p>Identify the connections that would likely remain after construction of the HSR system and highlight these areas as "connectivity zones" for protection and preservation.</p> <p>Identify specific commitments for preservation of these corridors through mitigation measures and cooperative agreements. Disclose how fencing the train route will affect wildlife movement. Discuss how fencing for safety purposes will be integrated with proposed wildlife passages, such as culverts, bridges, viaducts, underpasses and overpasses.</p> <p>Describe efforts to avoid and/or minimize impacts to threatened and endangered species and associated habitats, as well as preserves, parks, and restoration and habitat management areas.</p> <p>Describe the extent and nature of the protected species and their primary habitat(s) and the extent and nature of potential impacts to proposed and designated critical habitat</p> <p>Provide a description of narrow endemics, unique habitat elements, and suitable habitat for native fauna and flora in the project area and the extent each proposed alternative may affect each resource.</p> <p>The project may have impacts to vegetation within the existing right-of-way and mitigation is proposed as a result of ground disturbance and tree removal.</p> <p>Mitigation measures should describe how the project will meet the requirements of Executive Order 13112 by using native species.</p> <p>Address nocturnal and diurnal impacts to wildlife activities such as foraging, predator avoidance, and nesting that may be affected by new noise and vibration introduced to natural habitats.</p>	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - State Agency		
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	<p>Construction of the proposed HSR has the potential to adversely impact fish and wildlife movement and connection between habitats in the region -- the single biggest biological impact arising from the project. The project could disrupt already beleaguered wildlife passages, threatening the continued viability of many species. Construction of access controlled rail lines will create barriers to the movement of wildlife, cutting them off from important food, shelter, and breeding areas. Isolation of sub-populations limits the exchange of genetic material and puts populations at risk of local extinction through genetic and environmental factors. Barriers can prevent the re-colonization of suitable habitat following local extirpations, ultimately putting species at risk of extinction.</p> <p>The proposed HSR alignment along Pacheco Pass and Henry Miller Road would result in significant and irreversible impacts to the state threatened San Joaquin Kit Fox by impacting the entire northern range of the species. It would create a significant movement barrier between the southern and northern kit fox populations.</p>	3.6 Biological Resources and Wetlands

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	<p>The ability of individuals from Los Banos Valley to breed with members of more northern SJKF populations is thought to be critical to the continued existence and genetic diversity of the northern SJKF population. The alignment would, at a minimum, impact the entire 420,000 acres of SJKF range north of the project area, in addition to areas within the project footprint. Sufficient SJKF movement corridors will be required to permit the project pursuant to CESA. Incidental take permit requirements that allow for effective SJKF passage could require major structural component changes in the early design phases, in consultation with the Department and USFWS. There are several movement corridors and habitat lands protected in perpetuity as mitigation for impacts to SJKF movement and habitat resultant of other projects in Santa Nella. The proposed HSR would sever one or more of these mitigation areas and render them completely ineffective. Impacts should be evaluated in light of Fish and Game Code Section 2055.</p> <p>The presence of an access controlled railway north of SR 152 could also negatively impact deer and elk herd movement within the around the Upper Cottonwood Creek Wildlife Area, Lower Cottonwood Creek Wildlife Area, O'Neill Fore Bay Wildlife Area, California State Parks' San Luis Reservoir, and private lands in the area. Any impacts to deer herd could reduce public hunting opportunities throughout Department managed lands and reduce their public-use values. SR 152 already poses a significant movement barrier to elk herd in the area and severely limits the movement of elk into and out of lands on the north side of the highway. The project would add additional movement barriers and further restrict movement of elk in the region.</p> <p>Department wildlife areas are acquired for the protection and habitat enhancement. The department wildlife areas are open to the public for wildlife viewing, hiking, hunting, fishing, and nature tours. Construction and project operation within or near department lands could significantly limit the wildlife and public use values. The project may negatively impact the number of visitors, resulting in reduced revenues, as well as in reducing or eliminating public recreational opportunities and habitats. Evaluate this, and prepare mitigation to less than significant levels. The department lands include Cottonwood Creek Wildlife Area (upper and lower), San Luis Reservoir Wildlife Area, O'Neill Forebay Wildlife Area, Volta Wildlife Area, Los Banos Wildlife Area, and Canada de los Osos Ecological Reserve.</p> <p>Los Banos Wildlife Area is adjacent to north side of Henry Miller Road. The route would directly impact wildlife, public hunting, and fishing opportunities, by affecting wildlife distribution, public access, and similar impacts that could occur on private lands near the route. Address the proximity of train tracks to area uses by the public for waterfowl and upland hunting.</p> <p>Analyze impacts to specifically designated species and habitat resulting from project construction and operation. Provide descriptions of existing biological conditions in and around the project site. Include an extensive list of species and sensitive habitats known to occur within at least 5 miles of the alignment. Consult with the department, CA Natural Diversity Database, state and federal resource agency lists, California Wildlife Habitat Relationship System, CA Native Plant Society Inventory, agency contacts, environmental documents, other projects in the vicinity, and other sources, as well as academic, professional, and scientific organizations. Conduct extensive surveys according to the protocols for listed species and/or sensitive habitats. Get approval by the department, USFWS, and other relevant regulatory agencies prior to implementation. Consult with the department on particular methodology for surveys without previous protocols. Plant surveys should follow adopted guidelines developed and maintained by the department at www.dfg.ca.gov/biogeodata/cnddb/pdfs/guideplt.pdf.</p> <p>The Pacheco segment is constrained primarily by the presence of Pacheco Creek. The creek supports one of the few extant populations of Sycamore Alluvial Woodland, a very rare habitat type, designated as G1 and S1.1 (critically imperiled) under the Natureserve ranking system used in California Natural Diversity Database. The natural community is currently experiencing a dieback as a result of unknown factors, highlighting the need to avoid additional stressors from new impacts. During normal wet years, Pacheco Creek can support a run of South Central California Coast Evolutionary Significant Unit steelhead, currently a state species of special concern and listed as threatened under the federal ESA. The unit extends from the Pajaro River south to Santa Maria River.</p> <p>The steelhead inhabit the largest river basins such as the Pajaro and Salinas Rivers and very small coastal tributaries such as those in the Big Sur Coast. Inland and coastal runs as units are necessary for sustaining the unit and the inland runs. Only Uvas and Pacheco Creeks support fish in the Pajaro drainage. The last formal estimate of inland steelhead was in 1991; at that time, they were thought to be only 200 spawners in the entire system. The Science Advisors's Report for the Santa Clara HCP/NCCP recognized the need to establish redundancy for the unit and the importance of Pacheco Creek in doing so. The Pacheco run is very tenuous due to historic conditions (the run was likely episodic rather than yearly) and current water operations from Pacheco Reservoir.</p>	3.6 Biological Resources and Wetlands

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	The route between Diablo foothills and Gilroy traverses the valley floor north of Pajaro River. The underlying soil in this area historically supported alkaline wetlands and grasslands, two of the rarest habitats in the state. While much of the area is farmed or grazed, the underlying soil and much of the hydrology remain essentially unchanged. Some of the original seed bank appears to remain intact, at the southern edge in San Benito County. A plant thought extinct was left to go fallow. Underlying influences reassert themselves, making this area a good candidate for restoration.	3.6 Biological Resources and Wetlands
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	The route bisects western half of the Upper Cottonwood Creek Wildlife Area north of SR 152 and the PEIR states tunnels will be used for crossing a portion of UCCWA, which will not be as effective as crossing the entire area using tunnels. Determine wildlife movement and vehicle strike impacts prior to the placement of tracks. If above ground tracks are used, recommend the entire area of UCCWA could severely limit public hunting opportunities on the property and could effectively reduce the hunted area on UCCWA by at least half. An above ground train at UCCWA is not compatible with wildlife hunting in much the same way as SR 152 is not compatible. The public could not discharge firearms across or under if elevated the tracks, and it is unlikely that hunting would not be allowed to continue at its current level- if at all- on the property's western half.	3.6 Biological Resources and Wetlands; 3.13 Parks, Recreation, and Open Space

Biological Resources and Wetlands - Regional Agency		
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>The GWD and GRCD (districts) are concerned about the alignment because it may pass through or otherwise impact the districts' jurisdictional boundaries, a combined area of 60,000 acres of privately owned wetlands located north, east, and south of Los Banos in Merced County. Land stewardship in the districts mostly comprise privately owned and managed waterfowl hunting clubs that receive their water supply from GWD. The districts with the adjacent federal wildlife refuges, state wildlife areas and state park lands make up the Grassland Ecological Area (GEA) encompassing 240,000 acres. The GEA is the largest wetland complex in CA and contains the largest block of contiguous wetlands remaining in the Central Valley. This region is considered a critical component of the Central Valley wintering habitat for waterfowl and has been recognized as a resource of international significance. Concerned potential impacts of the high-speed rail project on GEA.</p> <p>Bi-section of the GEA by a high speed rail may interfere with critical wildlife corridors, disrupt canals and waterways, degrade water quality, interfere with waterfowl nesting and breeding, induce inconsistent growth in and adjacent to the GEA ,and increase wildlife mortality rates due to noise, shock, and collision impacts. Construction of a few wildlife underpasses alone would be insufficient to address this impact.</p> <p>The proposed Henry Miller Road alignment is particularly troublesome because the area along Henry Miller Road bisects a critical and endangered corridor separating the north GEA from the south GEA that is already dangerously fragmented. The alignment could provide the final blow in serving the vulnerable linkage between the north and south units of the Grassland Management Area. This would have a profound effect on the movement of waterfowl between different parts of the refuges they now utilize on a daily basis.</p> <p>The Henry Miller alignment poses unique risks due to potential cumulative impacts of further fragmenting an already endangered corridor. As a rural roadway with limited traffic, it is unreasonable to regard Henry Miller Rd as an appropriate existing transportation corridor for the project in the same vein as an urban roadway or as a larger rural highway such as Hwy 140. We urge the Authority to consider alternative corridors including an alignment north of the GEA along Hwy 140 and an alignment south of the GEA along Nees Rd.</p> <p>The GEA is important because it preserves a variety of habitats important to the maintenance of biodiversity on a local, regional, national, and international scale. It has been estimated that 30 percent of the Central Valley migratory population of waterfowl use this area for winter foraging, and it is a major wintering ground for migratory waterfowl and shorebirds of the Pacific Flyway. Over one million waterfowl are regularly found in the GEA during winter.</p> <p>The GEA is habitat to more than 550 species of plants and animals including 47 that are endangered, threatened, or candidate species under state or federal law including: San Joaquin Kit Fox, Aleutian Canada geese, sand hill cranes, California tiger salamander, vernal pool fairy shrimp, tadpole shrimp, California red legged frog, giant garter snake, Swainson's hawks, and tricolored blackbirds.</p> <p>The Western Hemisphere Shorebird Reserve Network has designated the GEA as one of only 15 international shorebird reserves in the world. GEA was also recognized in Feb 2005 as a Wetland of Worldwide Importance by the Ramsar Convention. GEA is one of only four wetlands in California with that designation and one of twenty two sites in the country. GEA has been recognized by the American Bird Conservancy as a Globally Important Bird Area.</p>	3.6 Biological Resources and Wetlands

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
<p>Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow</p>	<p>Wetland ecosystems are sensitive to disruption of water flow and other hydrological impacts that accompany fragmentation. Pacheco Pass alignments would bisect several waterways in the GEA essential to management of wetlands and habitat. Santa Fe and San Luis canals convey water to 31,000 acres of wetlands. Mud Slough South, and Porter Blake bypass serve as drainage facilities for thousands of acres of wetlands, making timely release of water, a crucial element in the management of seasonal habitat. Identify each of the waterways that alignments bisect and analyze impacts. Identify mitigation measures to ensure the design and construction of HSR will not impede flow and maintenance of water in these channels.</p> <p>Bisection of waterways may impact wildlife corridors and threatened species include the giant garter snake, which has been documented in the GEA and waterways (natural channels, water conveyance canals, irrigation and drainage canals, sloughs, and low gradient streams) north and south of Los Banos.</p> <p>San Luis Canal could be bisected by the Henry Miller route and contains the necessary habitat components for the giant garter snake, including adequate water during the snake's active season, populations of food, emergent, herbaceous vegetation for escape cover and foraging, grassy banks, and openings in waterside vegetation for basking. The canal functions as a movement corridor for the snake. Evaluate the potential interference with waterway habitats and corridors. Assess whether mitigation is available to reduce impacts to a level of insignificance.</p> <p>Animals that may be crossing the tracks in the GEA can be hit by one of the some 100 plus trains per day. Evaluate mitigation such as fencing to reduce such collisions for the impacts such fencing may have on fragmenting wildlife corridors. Species at risk include the giant garter snake, San Joaquin Kit Fox, tule elk and bobcat. The giant garter snake can be found as far away as 830 ft from the edge of marsh habitats.</p> <p>US Fish and Wildlife service recommends a minimum buffer of 200 ft from the banks of giant garter snake habitat. The HSR project proposes trains running by every 5 to 11 minutes right over waterways inhabited by this species. Estimate the mortality to each wildlife species that is vulnerable to train collisions and the effect of this mortality on populations. For special status species, discuss whether these train impacts would be substantial enough to cause further decline in the status of species or would interfere with the recovery of species. Mitigation measures creating partially or wholly impermeable barriers must also be evaluated to determine their potential for fragmenting important wildlife corridors.</p> <p>Comply with the executive wetlands order issued by President Carter, 11990, to avoid undertaking or providing assistance for new construction located in wetlands, unless the head of the agency finds that there is no practicable alternative to such construction and that the proposed action includes all practicable measures to minimize harm. Comply with the executive order issued by President Clinton, 13186, for the protection of migratory birds and requires agencies to avoid or minimize effects of actions on migratory birds. Evaluate projects under NEPA considering the effects of the proposed action on birds with emphasis on species of concern. Under these executive orders, the Authority and the FRA may not choose a HSR alignment through the GEA unless there is no practicable alternative to such an alignment.</p> <p>HSR trains will produce a significant shock wave each time they pass and it can be felt at varying distances from trains depending upon speed. It could produce harmful startle responses in wildlife, if birds flying within the immediate area where trains pass and it could possibly interrupt their flight. Quantify shock waves that emanate from trains moving up to 220 mph and determine potential effects on wildlife in GEA.</p>	<p>3.6 Biological Resources and Wetlands</p>
<p>Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow</p>	<p>Evaluate the potential impact of construction and maintenance activities on the GEA. The duration of noisy and invasive construction activities through and adjacent to the GEA may severely disrupt biological species, habitat, water quality, and air quality. The construction of the San Joaquin River crossing could pose serious impacts to water quality and riparian habitat. Study impacts of truck and other vehicular traffic, equipment storage and laydown areas, blasting and pile driving, temporary disruption of water supply deliveries.</p>	<p>3.6 Biological Resources and Wetlands/Construction Impacts</p>

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Biological Resources and Wetlands - County Agency		
Park Planner III, County of Santa Clara Parks and Recreation Department. Kimberly Brosseau	<p>Consider compliance with the Integrated Natural Resource Management Plan and Master Plan for Coyote Creek Parkway, an outstanding example of regionally significant riparian habitat that provides a valuable wildlife movement corridor for sensitive species.</p> <p>Include discussion of the on-going issue of invasive weed control (post-construction) that results from the proposed right-of-way, which is a vector for invasive weed control. Need to have an ongoing management plan for invasive weed control to address impacts to non-wetland waters and wetlands and should include this under the EIR/EIS mitigation strategies.</p> <p>Include studies of design options that include fencing that keeps wildlife from accessing rails for safety reasons and leads wildlife to crossings instead of cutting them off (funneling of corridors).</p> <p>The Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan is currently underway. The proposed alignment may affect future habitat conservation areas. The HSR project only considers participation in an existing Habitat Conservation Plan as part of mitigation strategy 8.</p>	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Address the impacts of destruction of mature trees along the right-of-way.	3.6 Biological Resources and Wetlands
California Native Plant Society, Santa Clara, Kevin Bryant	<p>The project could impact sensitive plant species on the southern boundary of Santa Clara County, if it goes through the Soap Lake area, including San Joaquin Saltbush, Hoover's Button Celery, Hairless Popcorn Flower, Saline Clover, Oregon Meconella, and the Red-flowered Lotus. Plant species along State Highway 152 could also be impacted, including Hall's Bush Mallow, Arcuate Bush Mallow, Loma Prieta Hoita and Western Sycamore Alluvial Woodland.</p> <p>The project must avoid disturbing these sensitive and declining natural resources in the areas of Pacheco Pass and Soap Lake.</p>	3.6 Biological Resources and Wetlands
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	<p>What impact will an above-grade alignment have on shading in the riparian corridors and nearby neighborhood?</p> <p>How will the EIR/EIS address the loss of wildlife habitat and species and vegetation to address greenhouse gases, particularly in and around the Los Gatos Creek Trail and Guadalupe River Park and Gardens? What are the specific mitigations planned to accommodate the trails and wildlife habitats?</p> <p>Will the lighting needed for security purposes of the rail line impact the riparian habitat of the Los Gatos Creek Trail, and if so, what mitigation measures will be taken?</p>	3.6 Biological Resources and Wetlands

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Defenders of Wildlife, Jeremy Terhune	<p>The grasslands ecological area (GEA) is the largest block of contiguous wetlands remaining in California, which provides critical habitat to over 47 endangered, threatened, or candidate species under state or federal law, and provides critical wintering habitat to over 20 percent of the Pacific flyway waterfowl population. The tracks will create a barrier that will isolate wildlife populations, interfere with waterfowl and waterbird nesting and breeding, and interrupt existing wildlife corridors. Noise, vibration and lighting from the high-speed rail will lead to avoidance by wildlife species and contribute to habitat fragmentation. The corridor is important for riparian brush rabbit, wood rat, W. yellow-billed cuckoo, neotropical migrants, ringtail, and riparian habitat major. Riparian species refugia above the flood levels needs to be maintained as part of the recovery plan for uplands species of the San Joaquin Valley.</p> <p>Critical habitat is comprised of land officially designated by the USFWS to contain the primary constituent elements for a listed species, and this habitat cannot be adversely modified in any way that would impact the survival or recovery potential of the species. A high-speed train track and fencing along this alignment within critical habitat would constitute adverse modification.</p>	3.6 Biological Resources and Wetlands
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding Greater Gardner Action Plan Initiative #3c, distinguish GG with gateways and streetscape improvements. Conduct tree planting on W Virginia St from Drake St to Route 8. How will either an additional fenced barrier or grade separations specifically maintain or improve this tree planting initiative? Will the trees on W Virginia and Drake need to be removed to accommodate HSR? If so, what is the rationale that this either maintains or improves the access conditions? How will tree removal be mitigated? What studies or metrics support the rationale that removing trees actually maintains or improves the area, assuming trees are healthy? Will HSR compensate GG for any removed or damaged trees, or any movement of trees? Will the city arborist be involved? Will mitigations include moving trees?</p> <p>Trees and Landscaping: From the GG Action Plan pg 32, maintain mature trees. What is the impact of any possible alignment and route for HSR through Greater Gardner on any associated street trees? Will the city arborist be consulted on pruning and/or removal/relocation of any street trees? In the event that any street trees need to be pruned as a part of HSR implementation, will HSR work with SJDOT on appropriate pruning? Is there a mitigation policy against value of loss for GG neighborhood in the event of tree damage during pruning of this type? Is there an appeals process? In the event that any street trees near any potential HSR tracks through GG need to be removed as part of HSR implementation, will HSR work with SJDOT regarding removal?</p> <p>Is there a mitigation policy against value of loss against tree removal? Is relocation an option for any trees slated for removal and if so, will HR pay for costs of tree relocation? Is there an appeal process against any mitigation plans for tree removal/relocation?</p> <p>The city features a permit process for removal of any tree on private property that has a trunk circumference of 56" grater.</p> <p>Assuming various track alignments and any potential routes through GG will feature obtainment of private land, what is the strategy for trees that fit this description? Will HSR file any live tree removal application forms with the city? Will any public hearings be held regarding removal of any living trees residing on private property as stipulated in the city's tree ordinances? Will the city arborist be consulted for removal of any private property trees? In the event some trees can be relocated, is there a mitigation plan for GG to cover the cost of tree relocation and/or any damage during the relocation process? Will homeowners receive compensation for any removal of private property trees? Who will assess the loss value?</p> <p>Is there a mitigation plan for removal of private property trees as a result of HSR and if so, is there an appeals process?</p> <p>The following components of Fuller Park identified in the GG Action Plan page 37, Fuller Plaza Improvements: native grasses; low groundcover; flowering plants-removal, pruning or relocation; decomposed granite walking path; trees against current Caltrain ROW embankment-removal, pruning or relocation; frontage shade trees along entrance to park-removal, pruning, or relocation; fencing. Provide details on any impacts to Fuller Park/Plaza related to all track alignment and potential routes through GG according to the visual on page 37. Will any of these need to be removed or altered if HSR is implemented with any track alignment on any routes specified through GG? If so, will mitigation compensate for the entire park? How will value loss be determined and by whom? Is there an appeals process?</p>	3.6 Biological Resources and Wetlands

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Biological Resources and Wetlands - Individual/Private Property Owner		
Individual, Craig Ow	If the oak trees are removed between the Caltrain tracks and Monterey south of Blossom Hill Road, will they be replaced?	3.6 Biological Resources and Wetlands
Individual, Jody Davidson	Be aware of desiccation of vegetation from high velocity wind speeds generated from the high-speed trains, which can damage urban gardens and vegetation, natural grasslands and farmlands. These unnatural winds could create extreme conditions for grassfires, and could also cause farmers and residents to use more water at a time when California is in a drought.	3.6 Biological Resources and Wetlands
California Native Plant Society, Santa Clara, Libby Lucas	Impacts to the riparian corridor and wetlands of the Guadalupe River and Coyote Creek along the entire valley corridor should be detailed, with attention to constraints at Metcalf Narrows and Fisher Creek. What will be the watershed impacts throughout Coyote Valley due to expansion of railroad right-of-way to four tracks? Will accommodation for wildlife and fish migratory corridors be engineered in addition to drainage swales? What BMP measures will be incorporated to ensure that natural landscape vegetation is preserved and construction equipment does not help spread invasive? Will the Santa Clara County Habitat Conservation Plan (HCP) and its BMPs be followed as the alignment passes out of county HCP range and over Pacheco Pass into Merced County? Will the project EIR/EIS detail specific areas where adherence to protocols for protected species is mandated? An elevated segment of rail over the Pacheco Pass and through Soap Lake wetlands will need careful analysis for wetlands impact and for preservation of the ridge wildlife corridor. What will be the aesthetic impact of a raised rail line on the wilderness experience of Coe State Park? Can the project EIR/EIS contribute to an HCP being conducted the areas between San Jose and Merced that are not currently undergoing a sc Can the high-speed rail line and all mitigation measures safeguard historic ridge migratory wildlife corridors and ensure their viability in perpetuity? Will the project EIR/EIS list in detail all flora and fauna species whose habitat could be impacted by the project?	3.6 Biological Resources and Wetlands
Hanchett Residence Park, Deborah Arant	What impact will an above-grade alignment have on shading in the riparian corridors and nearby neighborhood? How will the EIR/EIS address the loss of wildlife habitat and species and vegetation to address greenhouse gases, particularly in and around the Los Gatos Creek Trail and Guadalupe River Park and Gardens? What are the specific mitigations planned to accommodate the trails and wildlife habitats? Will the lighting needed for security purposes of the rail line impact the riparian habitat of the Los Gatos Creek Trail, and if so, what mitigation measures will be taken?	3.6 Biological Resources and Wetlands
Individual, Don Loquiao	Concerned about the environmental impacts of the project, especially the impacts to the ecosystems present at Pacheco State Park. There are some endangered species present, including the red-legged frog and kit fox. The alignment passes through the habitat of endangered species such as the red-legged frog.	3.6 Biological Resources and Wetlands
Individual, Conrad Lather	Concerned about the wildlife in the open areas near Coe Park, including cougars and deer that may be passing through to forage. Consider constructing a tunnel underneath the rails that will allow wildlife to pass through.	3.6 Biological Resources and Wetlands
Individual, Gary Harris	An 8- to 10-foot high fence along the high-speed train tracks will make it difficult for animals to get from one side of the tracks to the other. A 10-foot fence through the grasslands area in Los Banos will kill many birds, which fly low in the fog. High-speed trains will disturb the grasslands area which many people have worked hard to maintain and protect. Ducks and geese flying through the grasslands ecological area will fly into the 20-foot power line associated with the high-speed trains. How will impacts to the wetlands in the grasslands ecological area be prevented?	3.6 Biological Resources and Wetlands

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Kim Karcher	How will noise and vibration impacts on fish and other wildlife in the Guadalupe River during construction be mitigated?	3.6 Biological Resources and Wetlands, 3.3 Noise and Vibration
Hydrology and Water Resources - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	<p>Address the potential for tunneling to affect stream flows, riparian habitat, the direction of lateral movement of water through the soil profile, and the recharge of shallow, unconfined aquifers.</p> <p>Demonstrate in the Draft EIS that potential impacts to waters of the United States have been avoided and minimized to the maximum extent practicable prior to obtaining a California Water Act Section 404 permit (40 CFR 230.10(a) and 230.10(d)).</p> <p>The significant loss of aquatic resources associated with the Pacheco Pass alignment is not consistent with the substantive binding requirements of the guidelines to avoid and minimize impacts to the maximum extent practicable (40 CFR 230.10(a) and (d)). The magnitude of impacts to special aquatic sites may cause or contribute to significant degradation of waters of the United States (40 CFR 230.10(c)) and design modifications and commitments are needed to reduce impacts to resources.</p> <p>The Draft EIS should follow through with commitments made in the statewide Tier 1 Final Programmatic EIS, specifically "Avoidance and minimization measures would be incorporated into the development, design, and implementation phases at project-level environmental analysis. In addition, close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, monitoring during construction, and other best management practices" (Final PEIS. Page 3.17-25).</p> <p>Ensure the mitigation measures as listed in the table on page 3.17-28 of the Final PEIS are incorporated in the Draft EIS (see attached enclosure, submitted with comment in Appendix XX).</p> <p>Demonstrate that all potential impacts to waters of the United States have been avoided and minimized. If these resources cannot be avoided, analyses should demonstrate how cost, logistical, or technological constraints preclude avoidance and minimization of impacts.</p> <p>Identify design measures and modifications to avoid and minimize impacts to water resources.</p> <p>Identify all protected resources with special designations and all special aquatic sites and waters within state, local, and federal protected lands.</p> <p>Include a compensation proposal for unavoidable impacts to CWA regulated waters that complies with new regulations for compensatory mitigation promulgated in April 2007 (40 CFR 230 Subpart J).</p> <p>The waters assessment should be of an appropriate scope and detail to identify sensitive areas or aquatic systems with functions highly susceptible to change.</p> <p>Estimate waters of the U.S. within the project area using CWA jurisdictional determinations, which should be submitted to the Army Corps of Engineers for verification.</p> <p>Provide maps of the estimated or verified CWA jurisdictional determinations.</p> <p>Provide specific descriptions of proposed activities in CWA regulated waters including grading plans and cross sections.</p> <p>Include the classification of waters and the geographic extent of waters and adjacent riparian areas.</p> <p>Characterize the functional condition of waters and adjacent riparian areas.</p> <p>Describe the extent and nature of stream channel alteration, riverine corridor continuity, and buffered tributaries.</p> <p>Include wildlife species affected that could be expected to use waters or associated riparian habitat and sensitive plant taxa that are associated with waters or associated riparian habitat.</p> <p>Characterize the hydrologic linkage to any impaired water body.</p> <p>Analyze the potential water quality impact and potential effects to designated uses.</p> <p>Address techniques proposed for minimizing surface water contaminations due to increased runoff from additional impervious surfaces.</p> <p>To demonstrate compliance with CWA Guidelines, FRA/CHSRA must explore on-site alternatives to avoid or minimize impacts to specific waters.</p> <p>The Draft EIS should include a complete systematic analysis for drainage crossings which identifies and prioritizes the potential for improvements to the aquatic system and for wildlife use at each crossing, if applicable.</p>	3.7 Hydrology and Water Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Hydrology and Water Resources - Regional Agency		
Associate Engineer, Community Projects Review Unit, Santa Clara Valley Water District, Yvonne Arroyo	<p>Discuss the potential for the project to degrade water quality in adjacent surface waters directly or indirectly via storm drainage and to adversely impact groundwater supplies or quality from any tunneling or underground work. Identify and discuss the potential to modify or disturb any of the district's water supply facilities, which include several large diameter pipelines. Take careful consideration when designing the HSR facilities to ensure that the district's water supply facilities are not adversely impacted during construction or in the long term, whereby our maintenance costs are increased or our maintenance access is compromised. Evaluate crossing or potential adverse impacts to the Santa Clara Conduit, Pacheco Conduit, any related facilities owned by US Bureau of Reclamation and maintained and operated by the district. Two pipelines are of particular concern due to their extremely large size and because they provide nearly half of the district's surface water supply.</p> <p>Regarding Section 3.10.1 item B: the Bay Area Programmatic DEIR/DEIS did not analyze impacts to major water supply pipelines, which provide critical services, can create hazards if damaged, and pose construction challenges in the same manner as electric, natural gas, and wastewater treatment facilities. Recommend that major water supply pipelines be included in the analysis for impacts of public utilities.</p>	3.7 Hydrology and Water Resources
Associate Engineer, Community Projects Review Unit, Santa Clara Valley Water District, Yvonne Arroyo	<p>Regarding 3.14.1 item A from the Bay Area Programmatic PEIR: both the Diablo Range Alignment and southern Pacheco alignment present significant concerns to various water resources. The report describes how the Diablo Range alternative would cross tributaries that could potentially contribute to siltation in Anderson and Coyote reservoirs. Mitigation for these impacts could potentially involve construction of pre-reservoir desalting facilities. The district is concerned about adequacy of further analysis in determining the extent of impacts and there may be concerns regarding the disturbance of serpentine areas in this region which is extremely difficult to mitigate.</p> <p>The southern Pacheco alignment poses even more concerns as it would impact more floodplains in Santa Clara County, cross mountain streams that tribute to Pajaro River and potentially increase flood risk in this sensitive floodplain region. Complexities of the Pajaro watershed in terms of stormwater detention and attenuation of downstream flooding cannot be underestimated. Work in the watershed would require close coordination with concurrent investigations, studies, and efforts to preserve the existing function of this watershed, specifically Soap Lake Floodplain Region. There are significant surface water quality issues in Pajaro Basin. There are two total maximum daily load efforts for sediment and one for nutrients. TMDL activities were prompted by the listing of Pajaro River under Clean Water Act 303 d. Adequately address both water quality and flooding impacts associated with the Upper Pajaro River.</p>	3.7 Hydrology and Water Resources
Associate Engineer, Community Projects Review Unit, Santa Clara Valley Water District, Yvonne Arroyo	<p>Identify and discuss the potential for needed modifications to existing bridges or other crossings of existing creeks, culverts, other flood protection facilities. Include details of any proposed mitigation measures to address adverse impacts to facilities.</p> <p>Identify and discuss any potential to alter existing flood flows, flood patterns from construction of rail improvements, or stations. Provide mitigations. If a large amount of impervious surface area will be introduced from new parking structures or other facilities related to operation or maintenance of the HSR, discuss mitigation for increased runoff which may exacerbate existing flooding relate to Upper Pajaro River watershed (as identified in the district's May 14, 2004 letter)</p> <p>Regarding 3.14.5 item A: the Bay Area Programmatic DEIR/S indicates that future project level analysis will analyze floodplain hydrology/hydraulics for impacts of specific designs on water surface elevations and flood conveyance for low frequency floods to evaluate potential flooding risk. Recommend flood events of greater frequency be analyzed as well. The project may have the potential to exacerbate or increase frequency of existing frequent flood events, such as two-year and 10-year events.</p>	3.7 Hydrology and Water Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>Evaluate the potential impacts to water flow and water quality in the GEA. The project has the potential to cause significant impacts to the complex of natural and man made channels that move water through the wetlands, establish waterfowl habitat and support nearly all the GEA ecological functions. Construction would entail tremendous wetland fill and the importation of possibly a million cubic yards of fill, depending on the actual route taken. It is unlikely the earth for berms and other support structures could be excavated from along the route due to soil weight bearing limitations. Berms and other support structures would need to be keyed into substrate so that the organic top layer would be removed and drainage ditches and water pumps would be installed to allow engineered placement of fill.</p> <p>Even where trestle construction crossed water channels there would be disturbance from clearing and pile driving. Construction may alter the present water flow patterns, introduce sediment and create stagnant sections of the wetlands producing essentially permanent water quality degradation. Water quality impacts on wildlife range from altered growth of feed to increased risk of avian botulism. Grassland Water District has spent much time and money managing the application of water in the Grasslands where historically, water quality problems have had tremendous impacts on wildlife. Imposition of a hydraulic barrier across the GEA will materially impact the south to north water management in the GEA, which is essential to maintaining water quality. Thoroughly evaluate and mitigate the potential impact that construction of HSR would have on water flow and water quality in the GEA.</p>	3.7 Hydrology and Water Resources

Hydrology and Water Resources - County Agency		
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Water supply in the county is dependent on groundwater and recharge. An increase in impervious surfaces can decrease groundwater recharge, thereby reducing overall water supply. To the extent the project proposes to increase impervious surfaces in the county, the EIR/EIS should evaluate the impacts to groundwater. Recognize that water supply is currently impacted by groundwater quality issues in several localities. The EIR/EIS should examine the potential for the project to cause further degradation to groundwater quality in the county.	3.7 Hydrology and Water Resources
Park Planner III, County of Santa Clara Parks and Recreation Department, Kimberly Brosseau	The section on the Preferred Pacheco Pass Network Alternative in the Programmatic EIR is inconsistent, as it discusses crossing and impacting waterways, like Coyote Creek and Guadalupe River, but then goes on to state there are no impacts. Clearly identify.	3.7 Hydrology and Water Resources
Associate Planner, San Benito County Planning Department, Michael Krowsie	With the HSR route approximately parallel to Highway 152, potential impacts to San Benito County include proximity to San Felipe Lake and other properties. With the lake lying between the proposed route and the county line, this area is considered entirely within the floodplain and may have impacts to Pajaro River and other properties, including some productive farms.	3.7 Hydrology and Water Resources

Hydrology and Water Resources - Private Organizations and Associations		
Associate Counsel, California Farm Bureau Federation, Natural Resources and Environmental Division, John R. Weech	Analyze impacts to water quality, including water supply and quality. Examine water supply impacts that the project may have and how the project might impact water supply otherwise available for production agriculture and alternatives for mitigation, such as increased recharge.	3.7 Hydrology and Water Resources
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	How will above-grade rail berms impact water flow and drainage in and around the Diridon area?	3.7 Hydrology and Water Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Hydrology and Water Resources - Individual/Private Property Owner		
Individual, Jody Davidson	Building high-speed train stations in rural/farm areas of California would burden state water resources (including the delta and groundwater supplies) by creating sprawl. Comprehensive measures must be taken to protect all groundwater and watersheds from contamination. California's Clean Water Act (Porter Cologne Water Quality Control Act) states that all groundwater in California is a source of drinking water and must be protected unless it is specifically exempted. The Porter Cologne Water Quality Control Act and the Basin Plan require protection of potential, as well as actual beneficial uses. Board Resolution No. 89-39 defines potential sources of drinking water to include all groundwater in the region, with exceptions for areas of high total dissolved solids, low yield, or naturally-high contaminant levels. Groundwater underlying and adjacent to the proposed site of the alignment qualifies as a potential source of drinking water. All sources of uncontaminated groundwater should be protected due to the unpredictable climate. A certified hydrologist from USGS should conduct a comprehensive hydrological mapping of the region if tunneling or excavation is done that may impact groundwater.	3.7 Hydrology and Water Resources
Hanchett Residence Park, Deborah Arant	How will above-grade rail berms impact water flow and drainage in and around the Diridon area?	3.7 Hydrology and Water Resources
Individual, Don Loquiao	Concerned about water tables and the potential effects that tunneling may have on them. Detailed hydrological and geological studies should be completed to ensure that wells in the area are not impacted. Concerned about the project's impact on water tables and local wells, as water is scarce near the summit.	3.7 Hydrology and Water Resources
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Concerned about the underground water tables in the community, as well as Los Gatos and Guadalupe creeks.	3.7 Hydrology and Water Resources
Individual, Kim Karcher	How will vibration impacts on Guadalupe River water levels during construction be mitigated?	3.7 Hydrology and Water Resources
Geology, Soils, Seismicity - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Identify the amount of material to be removed per mile of tunnel and where material will be disposed or stored. Quantify the environmental impacts associated with the tunneling and required connected actions (e.g. amount of material removed per mile tunnel, road access required, etc). Estimate the number of temporary roads required for each mile of tunnel construction. Include proposed methods for removal and revegetation of these roads.	3.8 Geology, Soils, Seismicity/ Construction Impacts
Geology, Soils, Seismicity - State Agency		
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	Identify the type of construction in each area, i.e., subterranean, above ground but on soil, elevated, and etc. Note the transition points from one type to another, projected heights under or below ground, typical cross section and materials proposed, and construction methodologies, including the equipment type, when and where equipments will be operated, the location of spoils and lay down areas, daily hours of operation and seasonal restrictions, and maintenance activities.	3.8 Geology, Soils, Seismicity/ Construction Impacts

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Geology, Soils, Seismicity - Private Organizations and Associations		
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and alternatives take into account the condition of the soil of Greater Gardner, which is subject to compaction and transmits vibration?	3.8 Geology, Soils, Seismicity
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding Greater Gardner expansive soils, GG residents are concerned about property damage as a result of HSR construction or operations that occur as a result of expansive soils problems that are well known to the area. Many residents have needed to rebuild their foundations multiple times in the past, and other have been denied the ability to refinance their property due to the soils and appraisal issues thereof. Elucidate the impacts to GG residents and the GG NAC/city of San Jose in event of the following types of damage instigated by the HSR vibrations as a result of soils issues during ongoing train operations: cracked foundations, construction damage to frames, door jams and windows, external stucco damage, damage to internal lath and plaster or drywall and ceiling, pipe damage, and property damage inside the home as a result of shaking, sidewalks, curbs, gutters, sewers, roads and other public infrastructure, such as, community centers, schools, pools, other public buildings, and places of worship.</p> <p>Regarding liquefaction, the soil condition of liquefaction is technically different from expansive soils. ABAG designated GG with a liquefaction index of susceptibility highest hazard and a shaking index of VIII, very strong. Elucidate the impacts to GG residents and GG/San Jose in the event of the following types of damage from vibrations as a result of liquefaction during train operations: cracked foundations, construction damage to frames, door jams and windows, external stucco damage, damage to internal lath and plaster or drywall and ceiling, pipe damage, property damage inside the home as a result of shaking, sidewalks, curbs, gutters, sewers, roads and other public infrastructure, community centers, schools, pools, and other public buildings.</p> <p>Regarding earthquakes, GG is buttressed by numerous earthquake faults (San Andreas, Hayward, Calaveras) and new faults are discovered often like on March 30, 2009 when a 4.3 earthquake hit close to downtown. In the 1989 Loma Prieta earthquake, GG sustained significant structural damage including foundation and total building failure which required the demolition and rebuilding of many homes. How would impacts vary with different vertical track alignments, on either the Caltrain ROW or any other potential track alignments? Which vertical track alignment can reduce damage impacts for GG in the event of a forceful quake from any nearby fault? Would the existence of an elevated structure through the center of GG where Caltrain tracks are, now create the possibility of a Cypress structure effect within GG in the event of a powerful earthquake? The Cypress structure was an elevated freeway built on somewhat unstable soils that collapsed in the Loma Prieta killing many people in 1989. Would the possibility exist with any other route or vertical track alignments?</p> <p>Elucidate the effects of a major earthquake on HSR infrastructure you intend to install in GG given the soil conditions, should a high magnitude quake occur on one of the following closely fault for every potential vertical track alignment or potential route choice through GG: Calaveras, new Calaveras branch, Hayward, San Andreas, and any other faults in the area. Outline the impacts and/or any mitigations for property damage to the following locations within GG: Immediately facing tracks (350-600 Fuller block and Fuller Ave park), backyard facing tracks (300-500 block Jerome (even numbers), one parcel away from tracks (300-600 block Hull odd and Jerome 300-600 odd), Biebrach Park, three blocks from tracks (W. VA east of Bird and Atlanta Ave), Harrison (600 block immediately adjacent to tracks, 700 block two blocks from tracks), W VA and Drake St, Gregory Plaza tot lot and Fuller Los Gatos Creek bridge, Hummingbird Park, and Word of Faith Church immediately facing tracks.</p>	3.8 Geology, Soils, Seismicity
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Greater Gardner is known for excessively soft soils that result in difficult street repair and maintenance. For streets that are currently not on the action plan, it is possible that damage could occur during construction or ongoing maintenance even if the route is not immediately adjacent to the street in question? Is there a mitigation process for street curbs and gutters that experience structural degradation as a result of HST construction or operations? Which agency decides if street damage on nearby streets is due to train operations? How are conflicts mediated?	3.8 Geology, Soils, Seismicity; 3.1 Transportation

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	How will the effects of earth compaction, heavy equipment, and other construction be measured on the fragile foundations of older homes in the neighborhood? How will this damage be mitigated? Where is the proposed staging area for construction of the high-speed rail station in the Diridon area? What materials will be used to construct the rail platforms and structural sound walls for an above-grade rail line. How high will they be and how far from the rail tracks will they be located? Will construction hours in residential neighborhoods west of the alignment be limited from 7 a.m. to 7 p.m., conforming to City of San Jose construction guidelines? If these hours are extended, how will the impacts on nearby residents be mitigated?	3.8 Geology, Soils, Seismicity/ Construction Impacts
Geology, Soils, Seismicity - Individual/Private Property Owner		
Individual, Lawrence Ames	Soil is unstable in the vicinity of Hwy. 87. Will construction of the high-speed trains affect the embankment north of Almaden Expressway, specifically the stability of the fill dirt under the freeway?	3.8 Geology, Soils, Seismicity
Individual, Gary Jansen	The North Willow Glen-Gardner area, especially the track segment by Bird Avenue, Virginia Street, Delmas Avenue and Prevost Street, has some of the least stable and poorest soils in San Jose in regards to its ability to support structures. The area has the highest rate of foundation failure in all of San Jose. The historic Gardner neighborhood of North Willow Glen has the poorest and least stable and supportive soil conditions in all of San Jose, and has the highest rate of foundation failure and need for replacement.	3.8 Geology, Soils, Seismicity
Individual, Jessie Villicana	The soil in the area is constantly shifting and many streets and home foundations have had to be repaired.	3.8 Geology, Soils, Seismicity
Silverleaf Neighborhood Association, Deborah Miller	Address seismic structural project reinforcements.	3.8 Geology, Soils, Seismicity
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Concerned about unstable foundations in the community.	3.8 Geology, Soils, Seismicity
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will soil studies be done along the alignment?	3.8 Geology, Soils, Seismicity
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Concerned about the effects of an earthquake on high-speed rail and the neighborhoods adjacent to the alignment.	3.8 Geology, Soils, Seismicity
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Does the alignment cross any fault lines?	3.8 Geology, Soils, Seismicity
Individual, Daniel Erceg	The construction process would damage 100-year old foundations and lath and plaster walls. Damage mitigation will be necessary because the area's soil is loose fill, not stable ground.	3.8 Geology, Soils, Seismicity/ Construction Impacts
Hanchett Residence Park, Deborah Arant	How will the effects of earth compaction, heavy equipment, and other construction be measured on the fragile foundations of older homes in the neighborhood, and how will this damage be mitigated? Where is the proposed staging area for construction of the high-speed rail station in the Diridon area? What materials will be used to construct the rail platforms and structural sound walls for an above-grade rail line, and how high will they be and how far from the rail tracks will they be located? Will construction hours in residential neighborhoods west of the alignment be limited from 7 a.m. to 7 p.m., conforming to City of San Jose construction guidelines? If these hours are extended, how will the impacts on nearby residents be mitigated?	3.8 Geology, Soils, Seismicity/ Construction Impacts

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Lawrence Ames	Will pile-drivers or other heavy construction equipment be used in construction of the project? Construction may have negative impacts on the fill-dirt supporting the freeway and on the older houses in nearby neighborhoods that have substandard foundations. If substandard foundations are damaged, will HSRA be liable to repair or replace incidental damages?	3.8 Geology, Soils, Seismicity/ Construction Impacts
Hazardous Wastes, Materials - Private Organizations and Associations		
SilverLeaf Neighborhood Association, Randy Froh	Concerned about the hazardous wastes that high-speed trains may emit.	3.9 Hazardous Wastes, Materials
Hazardous Wastes, Materials - Individual/Private Property Owner		
Individual, Jody Davidson	Conduct a complete soil analysis for all toxic substances. The disruption of soil in the vicinity of the tracks may aerate the toxics, which could be inhaled or spread pollution to groundwater and watersheds. Conduct a comprehensive analysis of all soil and shallow groundwater along the rail line since many rail lines pass through old industrial and agricultural sites. Rail lines are often contaminated with arsenic and lead. Rail ties have traditionally been treated with creosote, coal tar creosote, coal tar, coal tar pitch, and coal tar pitch volatiles, so measures should be taken to mitigate toxics from these substances.	3.9 Hazardous Wastes, Materials
Hanchett Residence Park, Deborah Arant	How will the EIR/EIS outline and address the impacts of soil removal, hazardous waste storage and disposal so that traffic and pedestrian/bicycle activity in and around the Diridon Station area is not discouraged?	3.9 Hazardous Wastes, Materials
Safety and Security - Private Organizations and Associations		
SilverLeaf Neighborhood Association, Randy Froh	Concerned about electrical hazards from living near high-voltage towers.	3.10 Safety and Security
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and alternatives evaluate the safety of passengers and Greater Gardner and North Willow Glen residents?	3.10 Safety and Security
Safety and Security - Individual/Private Property Owner		
Individual, Patricia Gormley	Concerned about train accidents and their impacts on adjacent trains, properties and residences. What are the design features to minimize the impact of a major earthquake along the high-speed train/Caltrain corridor?	3.10 Safety and Security
Silverleaf Neighborhood Association, Deborah Miller	Concerned that neighborhood safety may be compromised by the project, especially with the potential of serious accidents at extremely high speeds. Identify how law enforcement officials will access the neighborhood, considering the new police substation will be located on the opposite side of the rails. Identify the health risks associated with close proximity to high electrical currents. Identify fail-safe measures to ensure safe operations of the trail.	3.10 Safety and Security
Socioeconomics, Communities, and Environmental Justice - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Identify how the proposed alternatives may affect the mobility of low-income or minority populations in the surrounding area. Provide specific, appropriate mitigation measures for any anticipated adverse impacts to community members. Include opportunities for incorporating public input to promote context sensitive design.	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - County Agency		
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Include an environmental justice analysis required by NEPA, specifically for the final tracks siting for this section of the HSR system.	3.11 Socioeconomics, Communities, and Environmental Justice

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Resource Management Agency Director, Madera County , Rayburn Beach	The alignment could destroy Fairmead, Trigo, and Berneda, by eliminating their ability for growth and prosperity, resulting in a potential environmental justice issue.	3.11 Socioeconomics, Communities, and Environmental Justice
Resource Management Agency Director, Madera County , Rayburn Beach	Consider adverse impacts of economic development throughout the Central Valley. Is there a potential for the Central Valley to become a service economy, with jobs being restricted to the existing large urban centers connected by the HSR such as LA and SF?	3.11 Socioeconomics, Communities and Environmental Justice

Socioeconomics, Communities, and Environmental Justice - City Agency

City of Gilroy, Community Development Department, Don Dey	Gilroy has targeted much of the area surrounding the train station for neighborhood revitalization. Concerned that HSR tracks could divide neighborhoods, making cross-town-access and neighborhood integration difficult.	3.11 Socioeconomics, Communities, and Environmental Justice
Mayor of City of Chowchilla, Justin White	The proposed alignments compromise the community, creating the "Chowchilla Triangle" that would encircle the city and its General Plan area in fences. Consider alternate alignments that have a lesser impact on existing uses and still achieve the target travel time for the SF to LA, including south of Highway 152.	3.11 Socioeconomics, Communities, and Environmental Justice

Socioeconomics, Communities, and Environmental Justice - Private Organizations and Associations

Attorney for Save Our Trails, Bruce Tichinin	Is there room for the HSR to be between the UP tracks and Fwy. 87? If HSR is on the eastern side of the UP tracks, it will impact the new 11-story residential building at Alma and the City's day-care facility at the Tamien Station.	3.11 Socioeconomics, Communities, and Environmental Justice
Jenny, Jenny & Jenny, LLP on behalf of San Jose Word of Faith Christian Center, Scott E. Jenny	The San Jose Word of Faith Christian Center objects to any plans to take their property through the power of eminent domain.	3.11 Socioeconomics, Communities, and Environmental Justice
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and alternatives align with the goals of San Jose's Strong Neighborhood Initiative Greater Gardner Action Plan? Which alternative best serves the goal of environmental justice in the Greater Gardner neighborhood? How many properties adjacent to the proposed alignment/alternative routes will suffer impacts that constitute a "taking"? Will the proposed alignment/alternative routes require land acquisition and leave "remnant" pieces that attract dumping, illegal activities, and blight?	3.11 Socioeconomics, Communities, and Environmental Justice
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	How will the goals of the HSR be consistent with the city SNI goals to revive neighborhoods along the Caltrain ROW? How will you prevent HSR from disrupting the neighborhood and creating blight in an area undergoing expensive and difficult transition out of blight? How will impacts of HSR on Gardner Academy be evaluated regarding environmental justice? What documents about Gardner Academy's plans will be consulted for the EIR? What SJUSD planning documents and staff will be consulted? How will staff, parents and students at Gardner be involved in creating the EIR? How will constriction along this section be done in a way to minimize impacts to the Academy (including traffic pattern changes)? List all mitigation measures for constructing facilities at grade or otherwise including noise, vibration, transportation, parking, pollution, aesthetics and environmental justice at the Academy. How will vibration affect building maintenance in regards to soil conditions? What mitigations will HSR implement to lessens increased maintenance at the Academy? Table 3.7-1 of the Programmatic EIR ranks multifamily residential areas as both medium and high compatibility while ranking single family residential as low. Why? What data or studies were used to create this ranking? Won't these rankings create a greater impact on low income households who are more likely to reside in multifamily residential areas?	3.11 Socioeconomics, Communities, and Environmental Justice

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Currently the train tracks cross W. Virginia Ave, how will you reconcile the need to have no at grade crossings so as not to isolate one part of a community from the other? Evaluate the crossing options for W. Virginia Ave for impacts on safety and emergency response time to Gregory Plaza, as well as noise and vibration levels in Gregory Plaza. What mitigations might be considered? Evaluate the option of opening Gregory St to Riverside Dr. List all aesthetic improvements available to soften impacts. If W. Virginia is closed, how will access to Gregory Plaza neighborhoods be maintained? Evaluate mitigation in terms of response time for police, fire, and other public safety services.</p> <p>What distance will be used at the project level analysis to determine the presence of minority and low income populations in Greater Gardner? What data will be used to determine whether or not 50 percent of the population in GG is minority or low income? From the 2000 census? What data from the city and county will be used? Will census block data be used to examine environmental justice issues north and south of existing ROW through GG, or one each side of any other alternative through GG? What data will be used to determine if the percentage of minority or low income population is at least 10 greater than the average in the county? Will census block data be used to examine environmental justice issues north and south of the existing ROW or on each side of any alternative through GG being considered? More than 50 percent of the Santa Clara population is minority, making it imperative that HSR gather and analyze data about minority populations in GG.</p> <p>How will either an additional fenced barrier or grade separations maintain or improve the City of San Jose Strong Neighborhoods Initiative, Greater Gardner Action Plan Vision Statement and Goals (page i-iv)? How will HSR plan to adhere to the architectural standards of the GG NAC? If not, what is the rationale for claiming GG is a low residential property impact? Wouldn't violating a community vision statement be considered a high impact to the community?</p> <p>Regarding goals of the GGC (page iii): describe how an additional fenced barrier or grade separation would be consistent with the Greater Gardner community streetscape goal. Describe how HST with trains every three minutes are consistent with reducing noise levels resulting in low impact HSR implementation for GG. How will noise levels be measured to ensure low impact? What mitigations are available?</p> <p>How will an additional fenced barrier or grade separation maintain or improve the Greater Gardner Action Plan #2b initiative to resolve homeless encampment? Address the HSR approach to homelessness encampment along both sides of the SP railway easement through GG, and railroad bridges at Bird, Delmas, Prevost such as additional fenced barrier or grade separations. Address the approach to homelessness along Los Gatos creek trail at Gregory Street and Fuller Ave. Will an increase in size in HSR bridges generate a larger homeless problem? Are there any studies that show homeless problems were maintained or improved after existing barriers with homeless encampments were widened to support HSR? Address how an alternative transportation corridor would not increase homeless encampment since this issue seems to stem from transportation corridor existence. Are the two planning objectives, one from City of San Jose (reduce homelessness), and the HSR (build HSR) in conflict? If so, how will this be mitigated and if not, what are the metrics for that determination?</p>	3.11 Socioeconomics, Communities, and Environmental Justice
SilverLeaf Neighborhood Association, Randy Froh	Concerned about construction impacts to the neighborhood and how long construction will last.	3.11 Socioeconomics, Communities and Environmental Justice/Construction Impacts

Socioeconomics, Communities, and Environmental Justice - Individual/Private Property Owner

Individual, Gary Jansen	Negative impacts on human life need to be analyzed, including noise levels, fear of derailment, and the psychological effect of fear upon children growing up among these dangers. Cumulative effects of the high-speed rail's existence should be analyzed and quantified.	3.11 Socioeconomics, Communities, and Environmental Justice
Silicon Valley Marketeer, Athol Foden	The "up to 12 trains an hour" projection will not be accepted by Peninsula residents. High-speed trains in other countries such as Japan and China do not run that frequently. That projection is more than all projected airline flights combined from Los Angeles to San Francisco in 2030.	3.11 Socioeconomics, Communities, and Environmental Justice

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Tim Filice	Analyze the types of businesses that are attracted to communities that have high-speed rail stations.	3.11 Socioeconomics, Communities and Environmental Justice
Anthony Dominguez	High-speed rail will be an economic boon for Gilroy and California as a whole.	3.11 Socioeconomics, Communities and Environmental Justice
Individual, Kuldipkumar Prajapati	High-speed rail will create job opportunities with a minimum loss of land.	3.11 Socioeconomics, Communities and Environmental Justice
Individual, Derek Young	What are the planned hours of construction in residential areas where there are already existing tracks that receive heavy use?	3.11 Socioeconomics, Communities and Environmental Justice/Construction Impacts
Individual, Conrad Lather	If tunnels are constructed, where will the debris be deposited?	Construction Methods and Impacts

Local Growth, Station Planning and Land Use - Federal Agency

Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Use the results of the growth inducement analysis to estimate growth inducement impacts to CWA regulated waters and inform LEDPA identification. Use the results of the growth inducement analysis to inform mitigation measures to reduce environmental impacts.	3.12 Local Growth, Station Planning and Land Use
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Local Growth, Station Planning and Land Use - State Agency

Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	The project impacts the services of Peninsula Corridor Joint Powers Board and UP Railway at approximately 52 at-grade crossings and 24 existing grade-separated crossings. JPB operates four passenger trains per day between San Jose and Gilroy, Amtrak operates two trains per day on the UP Coast line and UP operates freight trains on these lines. The NOP states all crossings along the corridor will be grade separated. The feasibility and impacts of grade separation or elimination of these crossings will require a great amount of analysis. Construction of roadway grade-separated structures is likely to involve massive changes to public infrastructure and private property in the vicinity of railroad crossings due to constrained geometry and the large footprint required by typical railroad grade separation structures. Local entities need to amend their General Plans to accommodate future right-of-way preservation for the footprint of new grade separations in required areas.	3.12 Local Growth, Station Planning and Land Use
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Local Growth, Station Planning and Land Use - Regional Agency

General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	HSR will change the profile of large portions of the entire corridor and increase the width of the corridor at various locations. Include an urban design element that will look at options of how the corridor will fit into developed areas in southern Santa Clara County and southern San Jose.	3.12 Local Growth, Station Planning and Land Use
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	The GEA boundary is a non-jurisdictional boundary designated by US Fish and Wildlife to identify an area for priority purchase of public easements for wetland preservation and enhancement. GEA includes a growing portfolio of federal and state conservation easements. Through 1998, conservation easements had been acquired on over 64,000 acres at a total cost of \$28 million. Acquisitions since 1998 have increased the number of acres protected by conservation easements to over 70,000 acres. Significant areas of the GEA, however, remain unprotected from future development.	3.12 Local Growth, Station Planning and Land Use

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>Evaluate the potential for growth inducing impacts of the project that could negatively impact the GEA. Determine if it will facilitate and encourage population growth, economic growth, or changes in land use and development patterns. Consider the indirect effects of a proposed action, such as growth inducing impacts and other impacts related to induced changes in the pattern of land use, population density and growth rate. Mere identification of growth inducing impacts is not sufficient to meet the requirements of CEQA. Enforceable mitigation measures to address impacts from this growth must also be identified and alleviated. A project may indirectly induce growth by reducing or removing barriers to growth or by creating a condition that attracts additional population or new economic activity that is not currently planned.</p> <p>The HSR proposal will induce population growth and commuter traffic in the Merced/Los Banos area at a greater rate than would occur otherwise by removing the barrier of accessibility to jobs in the Bay Area. According to the chart in Appendix 4-E of the July 2008 Bay Area to Central Valley EIR/EIS, the Pacheco alignment could cut travel time between Merced and San Jose to as little as 45 minutes, such as commute would be short by Bay Area standards. Historic growth patterns in California clearly demonstrate accessibility to major employment centers triggers tremendous new growth from commuters, such as Auburn as major new employers moved to the Sacramento region and north Truckee, which is one hour from the major new job growth in Auburn and Reno.</p> <p>Numerous studies have shown the introduction of transportation facilities redirects growth. The introduction of HSR will dramatically shorten commute times between Merced County and the urban employment centers in the Bay Area, making the area surrounding any HSR stations more attractive to commuters. The substantially lower cost of homes and property in the area would be tremendous draw for Bay Area workers to move to the area. Without strict land use controls this growth in a largely rural, agricultural county such as Merced will occur in suburban and rural sprawl patterns most harmful to habitat areas and farmland.</p> <p>The pattern of growth may vary significantly depending on the alignment selected. Most worrisome is the proposed Henry Miller Road alignment, which would likely induce growth along the more rural areas around Los Banos. Even without a station in Los Banos, land speculation is likely to occur all along the Henry Miller Rd corridor in anticipation that a Los Banos station would eventually be permitted. Evaluate the potential localized rural growth impacts that may arise from the Henry Miller Rd alignment and impacts of land speculation along Henry Miller Rd on the ability to obtain conservation easements on the portions of the GEA that have not yet been protected from development.</p> <p>Impacts of urban encroachment on the wetlands complex of GEA have been documented in numerous studies including 1995 Land Planning and Guidance Study and supporting 1994 study by Reed F Noss, Translating Conservation Principles to Landscape Design for the Grassland Water District. Studies have shown urban development adjacent to the GEA include these impacts: fragmentation of the North Grasslands from the South Grasslands, reduction in habitat value of the entire interior of wetlands complex, chemical disruption including the introduction of fertilizers and toxic chemicals in drainage water, introduction of non-native species of both plants and animals, noise disruption, visual disruption caused by removal of trees and shrubs around wetlands, interruption of water deliveries for wildlife uses, and competition for water supply that support wetland habitat. Induced growth and land speculation along HSR may also make it difficult or economically unfeasible to continue purchasing conservation easements in the GEA or to purchase buffer zone easements.</p> <p>Critical sections of the GEA remain privately owned, unencumbered by easements or other protection from development pressures. The route through GEA may create a tipping point where the productive economy of wetlands can no longer compete with economic pressures. In addition to providing high biological value. The Grassland wetlands provide substantial direct economic contributions to local and regional economies. Unfortunately, productive economy of wetlands is threatened by population growth and urban encroachment.</p>	3.12 Local Growth, Station Planning and Land Use

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>Preservation of the GEA requires that fragmentation around the ecosystem stop and the area not decrease in size. A 2001 Land Use and Economics Study prepared for the GWD evaluated impacts of a compact growth scenario characterized by development within existing cities and a sprawl scenario characterized by low density residential development in rural areas and facilitated by subdivisions of agricultural land. The study showed sprawl development has a significant cumulative adverse effect on the cost to local government of providing services and on revenue and employment in the GEA.</p> <p>Non-compatible urban development encroaches on the wetlands so as to reduce its utilization by wildlife, then recreational usage could be expected to decline, and public and private funds for habitat management may be more difficult to obtain. Evaluate the project's impact on continued economic viability of the wetlands economy and how this impact may affect continued private/public partnership that has preserved GEA wetlands. Significant portions of the GEA still lack permanent protection from development, acquiring conservation easements over both existing unprotected areas of the GEA and additional areas targeted for expansion will require significant additional private-public cooperation and expenditures.</p> <p>Studies have concluded the best way to protect this investment in the GEA is to prevent any incompatible development from occurring within a two-mile buffer zone around the GEA along with a map showing the proposed buffer zone areas. Include an evaluation of the Project's impact on the ability to create this buffer zone. The concept of a buffer of band or appropriate land uses around the GEA was comprehensively addressed in the 1995 Land Planning Guidance Study prepared for the GWD.</p> <p>Study showed a two-mile buffer was substantially more effective than a one-mile buffer in protecting the core, or interior of the refuge. The 2001 Land Use and Economics Study examined the two-mile buffer around GEA and identified zones of conflict where the impacts of urbanization on the GEA would likely occur. Of the six cities in Merced County, Los Banos, Gustine, Dos Palos have city spheres that include a portion of the two-mile GEA band, and showed growth in unincorporated areas as impacting the two mile band. The study showed long term is essential that this band contain only resource beneficial or resource neutral uses to protect the integrity of the interior of the refuge complex. A key point of the 2001 land use study is that ag and wetlands are compatible uses to each other and within the two-mile band to protect the core area from encroachment.</p> <p>The General Plan policies and case by case local land use planning decisions should be directed away from further encroachment. Henry Miller Rd alignment would place HSR directly within the zone of conflict and the Los Banos station has already endangered plans to limit incompatible development despite assurances by the Authority that no Los Banos stations will be permitted. As urbanization progresses, fragmentation of agriculture and open space increases the value of ag habitats for wildlife declines, transportation corridors expand, threats to eliminate recreational hunting increase, air, water, pollution increase, local hydrology is modified. Thus urban growth induced by the project present a very real threat to functions, values and economic benefits of the GEA.</p>	3.12 Local Growth, Station Planning and Land Use
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Analyze the detailed information available about the precise location of stations. If potentially significant adverse growth-inducing impacts are identified, propose appropriate mitigation, including incentives to encourage higher-density development within the walking distance of stations. Strongly discourage additional low density sprawl development within their commute-sheds. As potential mitigation measures, consider appropriate zoning controls, including minimum densities for areas near stations and open space protection for property susceptible to project-induced sprawl.	3.12 Local Growth, Station Planning and Land Use

Local Growth, Station Planning and Land Use - County Agency

Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Track construction and train operation may have land use conflicts with existing uses in the unincorporated areas of Santa Nella and Volta, as well as to designated Highway Interchange Centers along Interstate 5.	3.12 Local Growth, Station Planning and Land Use
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	The General Plan provides policies for the county's open space, habitat, wetland, and aesthetic resources, and the EIR/EIS needs to study the impacts to these resources. Recommend that the study corridor for the project be expanded from 100 to 500 feet to adequately analyze potential significant impacts, such as noise and air quality.	3.12 Local Growth, Station Planning and Land Use

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Executive Director, Madera County Transportation Commission, Patricia Taylor	MCTC has been working with other San Joaquin Valley MPOs on a Redevelopment Blueprint for the Valley to inform land use planning over the next 40 years and urges the Authority to consider these regional land use and transportation planning efforts for both the Bay Area and Sacramento connections. MCTC suggests that the HSR system integrates with the Metro-Rural Loop concept being explored by the Mid Valley Multi Modal partnership, which includes Madera, Fresno, Kings and Tulare Counties. Also, recommend the Authority to consider the concerns of Madera, Chowchilla, and the County of Madera.	3.12 Local Growth, Station Planning and Land Use
Resource Management Agency Director, Madera County, Rayburn Beach	The land use densities being served by the HSR are below the minimum required to ensure necessary and successful ridership, resulting in the need to increase densities in an area that cannot provide adequate water resources or basic infrastructure.	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - City Agency		
Mayor of City of Chowchilla, Justin White	The alignment along Henry Miller Road, which becomes Avenue 24, does not consider the City of Chowchilla's General Plan, nor the City's Infrastructure Master Plan, as it extends through lands that are developed or planned for urban development.	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Specify where replacement land will be located and what replacement land will be protected to mitigate the farmlands, wetlands, and wildlife habitat impacts of the project. Analyze the relative values of land that the project uses against the replacement land proposed for protection, to avoid significant impacts. The values of the replacement land must be at least equal to those of the lands being lost and must be evaluated based on its geographic location and associated values, including value as recovery habitat for protected species and wildlife corridors.	3.12 Local Growth, Station Planning and Land Use
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>For Greater Gardner, won't additional fenced barriers or grade separations along the Caltrain ROW or any alternative ROW or alternatives to the south isolate the neighborhood between two transportation corridors and if so, how will this either maintain or improve the neighborhood?</p> <p>Regarding 3.7.4 (pg 3.7.42): there is an asphalt walkway project along the south side of Virginia St, described in the Greater Gardner Improvement Plan (page 34) railroad crossings, will this need to be redone/reworked and who decides? When will the evaluation of designated rework take place and by whom? Will HSR bear the costs for any rebuild? Will GG be compensated for damage to project incurred by HSR, requiring planning and implementation of rework by Gardner community or will HSR manage the rework entirely? What is the approval mechanism for the work? If vehicular at grade crossings at W. Virginia is close, how will the HSR propose to provide pedestrian access to both ends of W. Virginia?</p> <p>Regarding 3.7.4 (page 3.7.42), transit oriented design and smart growth land use policies: since Greater Gardner residential neighborhood is less than one mile from Diridon HST station, how does transit oriented design and smart growth land use apply to GG specifically? What is the exact meaning of transit oriented design and smart growth? Does the fact that an HST station is being built at Diridon station mean that all San Jose residents are defacto enrolled in a smart growth strategy. Will this be voted on by the citizens? What are the smart growth impacts to the following and how will these impacts be communicated to residents? Will there be community outreach in Spanish? Parking and transportation for existing GG residents? Crime and a need for more policing due to the increase in visits to Diridon area above what is specified in the GG Action Plan.</p>	3.12 Local Growth, Station Planning and Land Use

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Local Growth, Station Planning and Land Use - Individual/Private Property Owner		
Individual, Jerry Laster	Section 3.7 of the Final Bay Area to Central Valley Program EIR/EIS is confusing because there may not be coincidence between the meaning of a term in different contexts (ex: single family residential has low compatibility with high-speed rail according to Table 3.7-1, but high compatibility according to Table 3.7-3). Generalizing uses for different purposes results in inconsistent conclusions, and the use of similar terms in evaluating both land use and property is confusing. The project EIR/EIS should focus on the specific portions of the segment where uses are similar and evaluate them uniformly. Evaluations should be consistent with the design of the high-speed system. Contrary indications should be worked out and brought up to date in the project EIR/EIS.	3.12 Local Growth, Station Planning and Land Use
Individual, Lawrence Ames	What are the impacts of the high-speed train on an elevated track to the planned high-density, high-rise development for the Mid Town area?	3.12 Local Growth, Station Planning and Land Use
Individual, Christie Hendricks	Mixed-use housing that includes childcare facilities should be located near transportation hubs such as Fruitvale in Oakland so that working parents can utilize all available transportation options.	3.12 Local Growth, Station Planning and Land Use
Individual, Virginia Holtz	Identify how much mitigation is necessary for each alternative and how much land would be needed for each alternative.	3.12 Local Growth, Station Planning and Land Use
Individual, Ward Lewis Crary	A high-speed rail system would facilitate powerful growth and would be capable of handling the transportation needs of California's growing population through 2050 and beyond. Stations built along high-speed rail lines will encourage the maximum amount of growth necessary to handle increased jobs and people's travel needs.	3.12 Local Growth, Station Planning and Land Use
Agricultural Land - County Agency		
Resource Management Agency Director, Madera County, Rayburn Beach	The proposed alignments along BNSF and UP tracks could result in massive degradation of existing small farming communities of Fairmead, Trigo, and Berenda. The proposed routes will promote the loss of agricultural lands by restricting growth to the east because of the increased infrastructure costs to cross the HSR system. If development is forced to move west, it will result in substantial loss of prime agricultural lands.	3.13 Agricultural Land
Planner III, Planning Office, County of Santa Clara, Ranu Aggarwal	The proposed HSR route is through land in Santa Clara County under agricultural use and zoned Agriculture Ranchland, with many of the parcels under the Williamson Act Contract. Consider impacts to the loss of this land, prime farmland, and impacts under the Williamson Act Contract or commercial agricultural production	3.13 Agricultural Land
Agricultural Land - Private Organizations and Associations		
Associate Counsel, California Farm Bureau Federation, Natural Resources and Environmental Division, John R. Weech	Accurately and clearly depict agricultural lands in the project area. The California Department of Conservation, through the Mapping and Monitoring Program, maps changes in prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance. Incorporate these maps into the EIR, and include the impacted acreage or any other areas that could result in conversion of agricultural to nonagricultural areas. For areas outside important farmland map boundaries, base the impact discussion on the agricultural land definition in the Williamson Act and under CEQA.	3.13 Agricultural Land
Associate Counsel, California Farm Bureau Federation, Natural Resources and Environmental Division, John R. Weech	The siting of the project through agricultural lands will greatly impact the agricultural industry as a whole, as well as local communities. Impacts could be far-reaching and include a loss of jobs, sales tax revenue, social services, and agriculturally-related businesses.	3.13 Agricultural Land

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Merced County Farm Bureau, Diana Westmoreland-Pedrozo	Highly concerned about a state life project being left to local land use decision makers. The land impacted from the project is predominantly privately owned agricultural land. Land use policies need to be implemented due to the scope and size of the project, as well as fair and just compensation for any loss of agricultural land and the ability to farm that land in its totality. The Merced County Farm Bureau has worked cooperatively with agencies governing the wetlands through public and private partnerships, and farming has been a good complement to the wetlands. The impact of any project to this relationship should be taken into consideration. Major development should be kept off of land that produces food to feed the population.	3.13 Agricultural Land
Agricultural Land - Individual/Private Property Owner		
Individual, Robert Rieger	How much agricultural land will be taken to provide right-of-way for the alignment?	3.13 Agricultural Land
Berliner Cohen Attorneys at Law, on behalf of Madelyn Bourdet, Jolie Houston	The proposed high-speed train alignment passes through Pacheco Pass Land and Cattle, LLC ("Bourdet property"), which is a working cattle ranch situated on the north side of State Hwy. 152 that relies heavily on the cultivated land that lies directly to the north of the highway. It is grazing land that is also used to hold cattle prior to shipping. If this land was lost, it would significantly damage the Bourdet family's ability to maintain a working ranch both by removing a source of hay and shipping area and also by disrupting the cattle to an extent that the general area would be rendered useless for grazing. The Bourdet family also lives and runs their cattle ranching operations on this property. The proposed high-speed rail alignment in this area would significantly diminish the Bourdet family ability to live and operate their business and would diminish the value of their property as well.	3.13 Agricultural Land
Individual, Diana Westmoreland	A statewide project requires statewide policies that will protect farmland used to feed the population. State policies should prevent the spread of development in local jurisdictions and keep it separate from where food is produced.	3.13 Agricultural Land
Individual, Karen Griffiths	A high-speed rail system could impede operation of family farm, located on both sides of Henry Miller Road in Dos Palos. The project would severely impact farming operations and the value of the land.	3.13 Agricultural Land
Parks, Recreation and Open Space - Regional Agency		
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	The Grassland's wetlands also provide a wide range of other benefits to the area, including flood control and education and recreational opportunities. The concentration of wetlands and wildlife is a unique feature of the area, attracting hunters and other recreational visitors who make significant contributions to the economy of the area. GEA receives over 300,000 visits per year for hunting, fishing, and no consumptive wildlife recreation. Recreational and other activities related to habitat values within the GEA contribute \$41 million per year to Merced County economy and account for 800 jobs. A thorough study of potential impacts the project may have on GEA is vital. The proposed Henry Miller Road alignment would potentially run directly through the Grassland Environmental Education Center located at the Los Banos Wildlife Area's Interpretative Marsh at 18110 W Henry Miller Rd. Protection of privately managed wetlands within the GEA depends largely on the continued viability of these lands as private duck hunting clubs. 181 duck hunting clubs exist within the GWD and GRCD. The bisection of the GEA by HSR poses the potential to impede the access of GWD members to their hunting clubs. Continued viable operation of these clubs may also be threatened if errant gunshots pose any possibility of striking passing trains. Consider the impact that an alignment through the GEA may have on access and use of these clubs.	3.14 Parks, Recreation and Open Space

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>Section 4(f) of the Department of Transportation Act states that the transportation secretary may not approve a transportation project on publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, local significance, unless there is no prudent and feasible alternative to using that land and such program includes all possible planning to minimize harm to such park, recreational, wildlife, and waterfowl refuge or to a historic site, resulting from the use. 4(f) requires alternatives be considered and creates a presumption that public parks and natural resource areas protected may not be used for transportation projects, unless truly compelling reasons indicate no alternative route is possible and applies even if the land from the wildlife and waterfowl refuge is not directly taken for the project, but the project will nonetheless impact that area.</p> <p>4(f) applies to any lands which a governmental body has a proprietary interest in the land for public recreation or wildlife and waterfowl conservation purposes including conservation easements obtained for the purpose of wildlife and waterfowl habitat protection. 4(f) creates a specific and explicit bar to the sacrifice of these public resources for transportation projects, the protection of the state and federal natural resource areas and conservation easements take precedence over other project considerations, including cost and directness of route.</p>	3.14 Parks, Recreation and Open Space; 3.6 Biological Resources and Wetlands; 4.4 Section 4(f) and 6(f) Resources
Parks, Recreation and Open Space - County Agency		
Park Planner III, County of Santa Clara Parks and Recreation Department, Kimberly Brosseau	<p>Consider assessing future park and recreation impacts in accordance with the Parks and Recreation Element of the General Plan and Santa Clara Countywide Trails Master Plan Update (located at www.parkhere.org). The county operates 28 park units encompassing 45,000 acres and HSR would impact a number of parks.</p> <p>Table 4-12 of the Bay Area Programmatic EIR/EIS identifies Coyote Creek Parkway County Park as one of the directly impacted parks and recreational resources, as the park is located less than 150 feet from the centerline of the preferred Pacheco Pass alignment. Although outside the 900 ft criteria for evaluation, county parks nearby, such as Hellyer County Park and Anderson, should be evaluated for indirect project impacts since they are contiguous to and located on either end of the Coyote Creek Parkway County Park. Regional trail facilities located within 900 ft of the preferred alternative may also be directly impacted by the project, including the existing and future Coyote Creek/Llagas Creek Trail, the Bay Area Ridge Trail, Juan Bautista de Anza National Historic Trail, and the routes shown in the Santa Clara County Countywide Trails Master Plan Update 1995, as well as Monterey-Yosemite State Trail locate along Pacheco Pass from San Benito County to Merced County.</p>	3.14 Parks, Recreation and Open Space
Parks, Recreation and Open Space - Private Organizations and Associations		
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	Will the impact of high-speed rail add to ongoing City of San Jose maintenance agreements for parkland and trail system in the Diridon Planning area and adjoining park system?	3.14 Parks, Recreation and Open Space
Willow Glen Neighborhood Association, Richard Zappelli	How will parkland adjacent to and near the alternative alignments be impacted, including Fuller Park, Biebrach Park, Gregory Plaza tot lot, Father Mateo Sheey Park, the new park near Almaden Apartments on Almaden Road, Guadalupe River, Los Gatos Creek and Willow Glen Spur (Three Creeks) trails, the planned Fire Training Center Park, and then planned Tamien Station Park? How will impacts to these parks be mitigated given there is no land available within the nexus of the Greater Gardner, Washington, and Delmas Park communities?	3.14 Parks, Recreation and Open Space

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Attorney for Save Our Trails, Bruce Tichinin	<p>Identify insignificant and significant potential adverse impacts. For each potentially significant impact, identify alternatives or mitigation measures that will eliminate the impact or reduce it to a level of significance including putting high-speed trains underground at crossings or proximity reaches or constructing above-grade crossings for either the trains or the trails.</p> <p>The adequacy of mitigation measures and alternatives must be measured by whether they result in the preservation of existing trails segments and the potential to build designated (but unconstructed) trails according to the trail design standards established by the Department of Neighborhood Services (see attachment included with full comment, in Appendix I).</p> <p>There are 4 points and reaches of the HST for the San Jose to Merced system that will cross or approach an existing or proposed trail route within a distance that may adversely impact the experience of the trail:</p> <ol style="list-style-type: none"> 1) The proposed alignment crosses the Los Alamitos trail between Curtner Avenue and Alma Street in Willow Glen, taking away established trail land from the City of San Jose. 2) The proposed alignment travels through planned Open Space/Parkland and Guadalupe Trail, west of the Tamien Station Transit Mall, resulting in a loss of trail and parkland. 3) The proposed alignment crosses the Historic Willow Glen Spur Trail . 4) The proposed alignment crosses the Los Gatos Creek Trail and parallels the trail on San Carlos Boulevard at Montgomery Street in the proposed park in the Midtown Specific Plan. The Los Gatos Creek Trail connects Willow Glen with the proposed new Diridon Station/Arena area and proposed baseball park. <p>The UP tracks enter into San Jose proper through a narrow pass at the foot of Tulare Hill, which is the planned connection of the Bay Area Ridge Trail. Plans for HST in this region should be compatible with this nearly-completed 400-mile-long regional trail system.</p> <p>There is an existing bike/pedestrian walkway along Hwy. 87 located between the freeway and the UP tracks. The walkway and UP tracks go under an overcrossing at Almaden Expressway. Is there enough width in that undercrossing for HST as well?</p> <p>Will construction of HSR affect the Fwy. 87 Trail at the top of the embankment, north of Almaden Expressway?</p> <p>The developer of the Tamien Project along Fwy. 87 near Alma Avenue promised the City of San Jose that trail "on-ramps" from the Alma Avenue sidewalks up to the Fwy. 87 bikeway would be constructed. Will construction of the HST in this area impact these promised trail connections?</p> <p>The Fwy. 87 bike trail north of Willow Street is due to connect to a trail that will be built as part of the Guadalupe River flood-control project. HST in this region has to be compatible with the Santa Clara Valley Water District (SCVWD) plans for the Guadalupe, as well as with the City of San Jose bike path plans.</p> <p>The Willow Glen Spur rail right-of-way (Fwy. 87 between Almaden and Alma) will be acquired by the City of San Jose for a "rails-to-trails" conversion into the "Three Creeks Trail" that will connect the Los Gatos, Guadalupe and Coyote Creek Trails and tie into the Fwy. 87 bike path (see attachment included with full comment, in Appendix I). HSR in this area will affect the design and cost of the trail crossing.</p> <p>Identify all points and reaches of the HSR that will cross or approach any existing or proposed trail route within a distance that may adversely impact the experience of the trail for any user as a result of noise, vibration, air current, or other sensory impact from the construction, operation, maintenance or repair of either the trains, the tracks, or other train infrastructure.</p> <p>Trail standards established by the Department of Neighborhood Services show that the optimum Trail Route Easement/Right-of-way for a low density residential setting, such as in Willow Glen, is 30 feet (see attachment included with full comment, in Appendix I).</p>	3.14 Parks, Recreation and Open Space

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>What documents about public and quasi-public facilities will be consulted for the EIR? What city parks and rec and neighborhood services (PRNS) planning documents and staff will be involved? How will staff, parents, children and community members be involved in the EIR? How will construction along this section of the ROW be done in such a way to minimize impacts on parks? List all mitigations for parks including traffic pattern changes during construction for grade and otherwise facilities. Evaluate relative different impacts from at grade and other facilities for noise, vibration, transportation, parking, pollution, aesthetics and environmental justice.</p> <p>Regarding Greater Gardner Action Plan #6b, improve neighborhood open space, identify sites for potential new open space including footbridge at Gregory Plaza, W Virginia at Bird, land adjacent to railroad tracks at Harrison. How will a fenced barrier or grade separations maintain or improve access to open space? Since every potential open space listed in the GG action plan is near or adjacent to the Caltrain ROW, and likely near proposed routes through GG, what is the rationale for claiming HSR would maintain or improve existing access conditions in the Gregory Plaza area of GG? Does removing any open space that is targeted by GG as eligible for improvement into parks and open space constitute a neighborhood maintenance or improvement of existing conditions? What are the impacts of a fenced barrier or grade separators to open space by the footbridge at Gregory Plaza, W. Virginia and Bird, and Railroad tracks at Harrison? What constitutes the assessment of low impact on these parcels of open space?</p> <p>Regarding Greater Gardner Action Plan #3, improve and maintain open space along Fuller Ave, directly adjacent to Caltrain tracks and costs have already been borne by GG NAC: how will a fenced barrier or grade separations maintain or improve Fuller park/Plaza? How will HSR alignment maintain the current location of Fuller Park/Plaza, given that a comparable park space is not located nearby? If not, where will a replacement park be located? How will HSR propose to mitigate the loss of two acres of parkland in an area that is fully developed? Will a new HSR fenced barrier or grade separations compromise existing or future irrigation uses for the park/plaza? If so, will GG NAC be compensated for existing or future damage? Will fencing along Fuller park immediately adjacent to Caltrain ROW erected as part of GG NAC improvements to the park be compromised by HST fenced barrier or grade separations? Evaluate the above costs/mitigations for Fuller Park for each of the alignment alternatives including bypassing GG.</p> <p>Regarding Greater Gardner Action Plan #6d, improve neighborhood open space. Explore and, if possible, build a dog park in Gregory Plaza neighborhood. How will a fenced barrier or grade separations maintain or improve the GG dog park? Since the Caltrain ROW and likely and any alternative routes considered for HSR bifurcates Gregory Plaza, the area designated as bordered by Gregory, Fuller, Bird, 280 in GG and since all open space available is adjacent to Caltrain ROW, does that imply that HSR will eliminate the ability to implement a dog park? How will dog owners who benefit from pro-social interactions with fellow dog owners be compensated for lack of a dog park? Is there a mitigation plan for dog owners?</p>	3.14 Parks, Recreation and Open Space

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Four existing parks through Greater Gardner. One school with grounds used as a park and two proposed parks could be impacted by the proposed route through GG. Evaluate the possibility of replacing or expanding park area along Fuller Ave in conjunction with an underground configuration. The lack of open space within the neighborhood is one of the challenges cited in GG Plan 2002. The park that will be mostly impacted is Fuller Park, which lies between Fuller Ave and the existing Caltrain tracks. After many years of work, this park has recently been completed at a cost of \$850,000. Immediately adjacent to the Caltrain ROW are large old growth evergreens that provide aesthetics, habitat (including raptors), shade, and some noise mitigation offering a sense of tranquility to a busy neighborhood. Evaluate the varying impacts on the park which would result from a train alignment in each of these five alignment: at grade, elevated, trench, or underground, and bypassing.</p> <p>Include loss of use of the park during construction. If Fuller Park or part are lost to provide a path for HSR, what compensation to the neighborhood will be provided since there is not comparable open space available within the neighborhood? If removal of trees becomes necessary, what form of mitigation will be offered for all impacts? If there is no comparable open space on which to create a replacement park, does this become an issue of environmental justice? If parts of Fuller Park are lost to HSR path, list all measures possible to create beautification for a possible sound wall and remaining parts of the park. What will be the time frame for creating these measures and how will the community be notified and involved? What will be the appeals process? Bierback Park is the largest and most heavily used neighborhood park. Significant recent improvements including new community center, rebuilt pool, fencing, children's play area, bathrooms, etc. cost upwards of \$8million.</p> <p>It is within one block north of the Caltrain track and includes a heavily used community center, soccer field and swimming pool and tot lot. Taking into account the unstable soils in the neighborhood as documented in the GG 2002 plan, evaluate especially with regard to noise, vibrations, and usability the varying impacts on park and swimming pool which would result from at grade, elevated, in trench or underground, and bypassing alternatives including loss of use during construction. List all measures possible to mitigate the impacts and evaluate environmental justice. Gregory tot lot is located in the far west corner of Gregory Plaza between Gregory St and I-280 sound wall. This park is heavily used and severely impacted by freeway noise. Evaluate especially with regards to noise and vibrations the varying impacts on the park which would result from at grade, elevated, in trench or underground, and bypassing alignments.</p> <p>List all measures possible to mitigate the impacts for five scenarios and evaluate in terms of environmental justice. Hummingbird is located at the corner of Fisk and Bird. This park is heavily used. Evaluate noise and vibrations for at grade, elevated, trenched or underground, and bypassing alignments. List all mitigation impacts and environmental justice issues. Gardner Academy playing fields are heavily used by a children's neighborhood soccer league and baseball league. Evaluate noise and vibrations for at grade, elevated, trenched or underground, and bypassing alignments. List all mitigation impacts and environmental justice issues. An in GG is desired to build a park either for dog walking or community gardening, and is a city owned parcel which runs along the railroad tracks between Harrison and Bird. This was identified in the GG Plan of 2002 and reconfirmed in 2007 update. If this parcel is needed by HSR, list all possible measures which could be taken to mitigate the loss of open space.</p>	3.14 Parks, Recreation and Open Space
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>There is a parcel of land owned by the Joint Powers Authority between W. Virginia and Harrison St along the railroad track. This area has been used by a BMX bike track neighborhood children and viewed as a possible site for a community garden. If this parcel is needed, list all possible mitigation measures for loss of open space. The program EIR only lists one evaluative criteria to assess impacts on parks and was distance from the proposed train tracks. In this EIR, evaluate impacts in regard to noise and vibration, aesthetics and environmental justice issues. In GG, portions of the neighborhood have been built on swamp fill. Investigate the increased vibrations resulting from the unstable quality of the soils with soil studies specific to GG. How will the community be informed about HSR plans impacting each of these sever parks? In what languages? Who will be the public officials with whom by HSR will consult in order to obtain concurrence about HSR plans for the parklands in GG. Will this include board members from GG NAC? If not, why not? Will this include the two city council members for GG? If not, why not?</p>	3.14 Parks, Recreation and Open Space; 4.4 Section 4(f) and 6(f) Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Parks, Recreation and Open Space - Individual/Private Property Owner		
Hanchett Residence Park, Deborah Arant	Will the impact of high-speed rail add to ongoing City of San Jose maintenance agreements for parkland and trail system in the Diridon Planning area and adjoining park system?	3.14 Parks, Recreation and Open Space
Individual, Lawrence Ames	The high-speed train system should be compatible with the Bay Area Ridge trail. Would high-speed train construction affect the planned trail "on-ramps" that are to be constructed from the Alma Avenue sidewalks up to the Hwy. 87 bikeway as part of the "Tamien Project"? Is there enough room for the high-speed train to go between the UP tracks and Hwy. 87? High-speed trains in the area north of Willow Street need to be compatible with the Santa Clara Valley Water District (SCVWD) plans for the Guadalupe River flood-control project and with the San Jose bike-path plans. The design and cost of the proposed "Three Creeks Trail" that will connect the Los Gatos, Guadalupe, and Coyote Creek Trails and tie into the Hwy. 87 bike path could be affected by high-speed trains in the vicinity.	3.14 Parks, Recreation and Open Space
Aesthetics and Visual Quality - County Agency		
Planner III, Planning Office, County of Santa Clara, Ranu Aggarwal	Evaluate the visual impacts of the proposal on county designated scenic roads.	3.15 Aesthetics and Visual Quality
Aesthetics and Visual Quality - City Agency		
Mayor, City of Morgan Hill, Steve Tate	HSR tracks should be evaluated for visual and aesthetic impacts.	3.15 Aesthetics and Visual Quality
City of San Jose, Department of Transportation, James R. Helmer	Concerned about visual impacts of HSR design options at Diridon Station, as well as in downtown and its adjacent neighborhoods.	3.15 Aesthetics and Visual Quality

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Aesthetics and Visual Quality - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding Greater Gardner Action Plan Initiative #3a, distinguish GG with gateways and streetscape improvements. Install a gateway feature at Bird and W. Virginia and double acorn lights at W. Virginia and Gregory Plaza. How will either an additional fenced barrier or grade separations specifically maintain or improve this gateway initiative? Since the streetscape improvements are very close to the Caltrain ROW, will these city sponsored improvements need to be removed? If so, will HSR compensate the GG for facilities damaged/removed? How is the removal executed and which agency makes the determination? How will HSR protect the existing streetscapes and lighting? Will streetscapes and gateways need to be removed to implement the fenced barrier or grade separation? If so, what will be the impact of HSR implementation to GG considering implementation of these gateways and streetscapes was intended to improve neighborhood access and walkability?</p> <p>Studies have concluded the best way to protect this investment in the GEA is to prevent any incompatible development from occurring within a two-mile buffer zone around the GEA along with a map showing the proposed buffer zone areas. Include an evaluation of the Project's impact on the ability to create this buffer zone. The concept of a buffer of band or appropriate land uses around the GEA was comprehensively addressed in the 1995 Land Planning Guidance Study prepared for the GWD.</p> <p>Regarding Greater Gardner Action Plan Initiative #3d, distinguish GG with gateways and streetscape improvements, install pedestrian scale lighting at Fuller Ave Park (adjacent to Caltrain ROW). How will either fenced barrier or grade separations maintain or improve any pedestrian scale lighting in GG? Will the pedestrian scale lighting on Fuller provide the same light ratios to the area after the additional fenced barrier or grade separations are installed? How are these measurements obtained and who is responsible for the measurements? If lighting is impeded and there is increased crime due to poor pedestrian scale lighting on Fuller Ave, will HSR assume liability as a responsible party? (pedestrian scale lighting, not lighting to support the trains). What are plans for pedestrian scale lighting near the additional fenced barrier or grade separations provided by HSR? How will you involve GG in the design and choice of such lighting?</p> <p>Regarding Greater Gardner Action Plan Initiative #5c, ensure that architecture for proposed new projects remains consistent with existing neighborhood character. How will either an additional fenced barrier or grade separations be designed to be consistent with neighborhood character, the architecture of the turn of the century homes in GG? How will you design replacement bridges that honor and reflect the 1936 bridge designs and preserve and reinstall the original SPRR medallions? What is the process for ensuring additional fenced barriers or grade separations are consistent with neighborhood character? Is there an architectural historian available on the HSR project to provide input?</p> <p>How will GG be involved with the design? How will assessments be conducted and how will results be published? What is the mitigation plan for GG if we feel HSR structures do not adhere to the guidelines of GG's action plan? How will HSR engage other San Jose agencies that are responsible for maintaining neighborhood character including Housing Dept and Planning Code enforcement staff? What are the building codes that the additional fenced barriers or grade separations need to adhere to? Which agency will be the lead on the take of determining if additional fenced barriers or grade separators are consistent with GG neighborhood character?</p>	3.15 Aesthetics and Visual Quality

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding neighborhood lighting: After any HSR implementation, will the neighborhood lighting evaluation be rendered obsolete and if so, what is the mitigation plan? When will the assessment occur as to Greater Gardner lighting levels? Will this occur during the construction process and if not, does that mean GG may potentially have inappropriate lighting during the entire multi year construction process? Is there a mitigation plan for GG and residents in the event of inappropriate lighting for an extended period of time? Is there an appeals process? Since neighborhood lighting levels will likely fluctuate during any HSR construction process and upon final implementation of the train schedule, will HSR assess lighting levels in GG at multiple times/frequencies during the period?</p> <p>Will GG be compensated in some way for each necessary lighting manipulation? Who determines when a lighting assessment needs to occur? In the event that HSR decides to conduct neighborhood lighting assessments themselves as mitigation, will the city department of public works be involved, as was the case in the first survey?</p> <p>For any residents whose homes are located at or near the construction zone, if excessive lighting is required, is there a mitigation plan for residents that need to acquire new black out curtains, etc. Who decides if this is necessary and is there an appeals process? What will be the impacts of headlights of the high speed trains after dark? Will they sweep residents windows along the S curves in GG or any windows close to the track if the right of way is expanded? What is the mitigation plan to prevent light pollution to those residents? What is mitigation for light pollution for Lick observatory?</p> <p>Regarding historic buildings, neighborhoods and landscapes: There is no mention of the Greater Gardner neighborhood in the Aesthetics and Visual Resources chapter of the Programmatic EIR. The GG Action Plan #3 (distinguish GG with gateways and streetscape improvements), #5 (vintage housing preservation), #6 (W Virginia streetscape), #7 (Delmas streetscape), #15 (create neighborhood gateways), #16 (improve Willow St) are all current San Jose NAC initiatives that address aesthetics of GG. Streetscapes-lighting: GG has implemented the following pedestrian scale lighting as an implementation of the streetscape initiatives; how will lighting provided by HSR impact the streetscape lighting for each of the areas listed below? Will there be a mitigation plan for GG in the event that streetscape lighting is rendered ineffective due to the overhang of the train lighting?</p> <p>Will HSR work with DOT or SJDPW on these mitigations?</p> <p>Include analysis for any route considered through GG as well as the Caltrain route. Pedestrian scale streetlights: Gregory Plaza trailhead #3b addendum, W. Virginia/Gregory Plaza double acorn lights #3a addendum, Fuller Park (note that this park is immediately adjacent to Caltrain ROW) #3d addendum, W. Virginia streetscape lighting #6e, Delmas streetscape lighting #7e, LRT drop off areas lighting #13d. Streetscapes-gateways: GG has implemented neighborhood gateways as an implementation of streetscape initiatives. How will lighting and imposing structures provided by HSR impact the streetscape gateways? Will there be a mitigation plan for GG in the event that gateways are rendered ineffective, because the train impedes the scenery/neighborhood feel? Include analysis for any route considered through GG as well as the Caltrain route: gateway at Bird at W. Virginia, east towards Gregory Plaza #3a addendum, and west towards Bierbach park #3a addendum, Willow St at Delmas #16c and at Bird (can be found on page 18, city of San Jose Strong Neighborhoods Initiative Greater Gardner).</p>	3.15 Aesthetics and Visual Quality

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Vintage Housing and Neighborhood: The current GG Action Plan #5c, ensure that architecture for proposed new projects remains consistent with neighborhood character to maintain the vintage feel of the neighborhood of the late 1800s and early 1900s. What are the impacts to this imitative and all the work previously undertaken? Is there any way that HSR can be implemented as consistent with character of GG? If so, how for each track alignment and potential route (three -D visualization technology would be nice here). Will HSR follow the same criteria for design guidelines set forth by GG NAC? If HSR cannot be implemented in a consistent manner with GG character, what is the mitigation plan for GG homeowners, assuming the neighborhood character declines as a result of HSR? What about fencing and other related impacts and their implementation apart from the main structure, catenaries, etc can be implemented as consistent with the character of GG? If so, how so for each alignment (three -D)? Will HSR follow the same criteria for design guidelines set forth by GG NAC?</p> <p>Evaluate the change in visual context for Greater Gardner historic neighborhood even if the buildings are not moved or directly impacted from the widened tracks, retaining/sound walls and catenary poles for each possible track alignment and possible route within GG. Will GG likely develop an industrial feel to the neighborhood after HSR tracks are installed, irrespective of design of associated structures and trains themselves? What metric will you use to evaluate any industrial feel to the neighborhood and any mitigations? Fencing and other visual impacts: address the visual impacts of components of the project other than the rail lines, trains, and catenaries including any proposed safety fencing or walls for all possible alignments and routes through GG.</p> <p>The current San Jose SNI, GG Action Plan #2f goal is to eliminate graffiti throughout GG specifically Gregory Plaza Tot Lot and Fuller Park. How will a fenced barrier or grade separations maintain or improve that goal? Wouldn't an additional fenced barrier or grade separation add to the graffiti problem? How do you make that determination? How will HSR's approach to graffiti be coordinated with the city's anti graffiti program specifically to Gregory Plaza and the Fuller Park Tot Lot and near the three bridges? Are there studies, metrics of other HSR projects that show graffiti was maintained or improved after implementation? How will it be determined that HSR led to an increase in graffiti? What recourse does GG have for additional graffiti caused by HSR? Are the planning objectives by GG (eliminate graffiti) and HSR (build HSR) in conflict? If so, how will this be mitigated? If not, how will you make that determination?</p>	3.15 Aesthetics and Visual Quality
SilverLeaf Neighborhood Association, Randy Froh	Concerned about visual obstructions resulting from 18-foot high sound walls and the constant flow of trains.	3.15 Aesthetics and Visual Quality
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	How can visual impact be considered moderate at both Diridon (high rises) and Morgan Hill and Gilroy (planning for 2-3 stories)? Why is there a difference in these areas?	3.15 Aesthetics and Visual Quality
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and alternatives impact adjacent properties with shading? How will design features of the proposed alignment/alternative routes encourage or discourage current levels of graffiti that contribute to blight?	3.15 Aesthetics and Visual Quality
San Jose Arena Management Corporation, Jim Goddard	San Jose Arena Management Corporation has serious concerns about the extent to which conceptual structured parking for the Diridon Station on the west side of HP Pavilion would impact the existing image and appearance of HP Pavilion.	3.15 Aesthetics and Visual Quality

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Aesthetics and Visual Quality - Individual/Private Property Owner		
Individual, Jerry Laster	The catenary system mentioned in Section 3.5 and implied in Section 3.6 of the Program EIR/EIS could be considered in Section 3.7, as well as high fencing and sound barriers.	3.15 Aesthetics and Visual Quality
Hanchett Residence Park, Deborah Arant	How can visual impact be considered moderate at both Diridon (high rises) and Morgan Hill and Gilroy (planning for 2-3 stories)? Why is there a difference in these areas?	3.15 Aesthetics and Visual Quality
Individual, Lawrence Ames	What determines the height of the high-speed tracks? Overhead wires are not aesthetically pleasing and cause blight in residential areas.	3.15 Aesthetics and Visual Quality
Silverleaf Neighborhood Association, Deborah Miller	Concerned about destruction of the Silver Leaf neighborhood aesthetically, especially by graffiti covering sound walls.	3.15 Aesthetics and Visual Quality
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Mitigate graffiti that may appear on sound walls.	3.15 Aesthetics and Visual Quality
Individual, Craig Ow	If a sound wall is constructed in the area, what measures will be taken to keep it free of graffiti? Will landscaping be installed in the median of Monterey Highway?	3.15 Aesthetics and Visual Quality
Cultural Resources - State Agency		
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	If construction activities are proposed within the state's right-of-way, require documented results of a current (no more than five years old and conducted by a qualified, professional archaeologist) archaeological record search from the Northwest Information Center of the California Historic Resources Information System before encroachment permit is issued.	3.16 Cultural Resources
Cultural Resources - City Agency		
City of Gilroy, Community Development Department, Don Dey	Gilroy has targeted much of the downtown area for historic preservation. Analyze HSR's impact on historic structures for any potential loss.	3.16 Cultural Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Cultural Resources - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Grade separations in the Gardner area are 1936-style historically designed structures and, in some cases, are historic structures that retain original SP medallions. Will these structures remain? Will new structures resemble the old to maintain the integrity of the community? How will these structures be protected during construction?</p> <p>What mitigations are offered to residents with structural damage to historic homes? Will foundations, windows, or stucco walls be covered? Gardner is initiating a process to identify and preserve historic properties. What is the mitigation plan for those properties if they are located close to the Caltrain ROW or proposed routes in Gardner?</p> <p>Greater Gardner Action Plan #5 calls for possible creation of a historic conservation district located within GG. How will HSR mitigate the potential deleterious effects of HSR on that goal?</p> <p>Grade separations in the Gardner area are 1936-style historically designed structures and, in some cases, are historic structures that retain original SP medallions. Will these structures remain? Will new structures resemble the old to maintain the integrity of the community? How will these structures be protected during construction?</p> <p>What mitigations are offered to residents with structural damage to historic homes? Will foundations, windows, or stucco walls be covered? Gardner is initiating a process to identify and preserve historic properties. What is the mitigation plan for those properties if they are located close to the Caltrain ROW or proposed routes in Gardner?</p> <p>Greater Gardner Action Plan #5 calls for possible creation of a historic conservation district located within GG. How will HSR mitigate the potential deleterious effects of HSR on that goal?</p> <p>Regarding vintage housing: the current GG Action Plan #5c, ensure that architecture for proposed new projects remains consistent with neighborhood character, and maintain the vintage feel of the neighborhood with the heritage grade separations through GG. What are impacts to this initiative and all the work previously undertaken of HSR various track alignments on all proposed routes through GG?</p> <p>GG currently features historically accurate 1930s grade separations for Caltrain, which add to the historic feel of the neighborhood with the heritage grade separations through GG. What are the impacts to this initiative and all the work previously undertaken of HSR various track alignments on all proposed routes through 1930s grade: GG currently features historically accurate 1930s grade separations for Caltrain, which add to the historically accurate grade separations for Caltrain, which add to the historic feel of the community. How will HSR impact these historic structures and their place in the neighborhood? Will they need to be removed to make way for new HSR grade separations? If so, will the new grade separations degrade the historic feel of Gardner that was there before? In the event this happens, what is the mitigation plan? Will HSR accept responsibility for moving existing grade separations to another location within GG? Will there be an architectural historian on site during the construction process to ensure these structures are not damaged by vibration?</p>	3.16 Cultural Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding prehistoric archeological resources and Native American sites: The Tamien triblet of the Ohlones resided throughout this area. A significant Native America burial site was discovered during construction of the Hwy 87 freeway located on the east side of Tamien Station where a partial archeological excavation was made at the time of the freeway and LRT construction. The full extent of the site is not known. The Willow St crossing of the Guadalupe River was identified by the writings of the earliest Spaniards as a significant Native American crossing and lands near the crossing have a high possibility of artifacts or burial sites.</p> <p>How will HSR protect these sites? The Guadalupe River forms the eastern boundary of the GGCoalition Neighborhoods. Earliest maps and research papers analyzing early Spanish writings suggest that land generally to the east of Delmas Ave was a maze of rivulets, islands, willow stands, and swamps. Historic Spanish writings describe the area as abundant in wildlife. Native American sites are a possibility through this area. How will construction workers and equipment operators be trained to recognize when the known site has been discovered? How will they identify additional portions of the site? How will construction schedules be designed so qualified archeological anthropologist may examine and document materials? How much time will be set aside to document any new findings? How will duration be determined? Will trained Native American representatives of the Ohlone tribe be on hand throughout earth movement activities in the area, and how will they participate in the process?</p> <p>Regarding prehistoric Archeological Resources, Mammoths: Bones of a prehistoric mammoth have been found in the stream bed of the Guadalupe River north of San Jose airport. The area between roughly Delmas Ave and the current Guadalupe River channel was the historic trace of the river, which was a year round river fed by springs at the time of the Spanish discovery. Given prior discovery, there is the possibility of finding similar remains in the area. How will construction workers and equipment operators be trained to recognize when the known site has been discovered? How will construction schedules be designed so qualified archeological anthropologist may examine and document materials? How much time will be set aside to document any new findings? How will duration be determined? Which agency or organization will evaluate the materials for significance?</p> <p>Regarding historic archeological resources: Chinese camps: The GGCoalition Neighborhoods straddle City of San Jose Pueblo Lands and Rancho San Juan Bautista. During the Early American period, these lands were acquired by a few settlers, cleared of Willow trees and farmed. Historic state agricultural reports and newspaper articles describe the hops plantings and the initiation of the silk industry on these lands. A silk factory was located between Fuller and Riverside Ave. Many workers were required for the silk industry and Chinese workers were preferred. State agricultural reports suggest the crews lived on lands, rather than commuting from San Jose's Chinatowns. In the 1870s the silk industry collapsed and the properties reverted to Odd Fellows Savings Bank of San Francisco.</p> <p>Some Chinese workers stayed to work on local farms and operate a Chinese Laundry on Willow St. Census records suggest there were many households within the area with at least one man taking the last name of Coe. Coe was a major property owner who lost property with the silk industry collapse. Based on these various records, some believe there may be relics from a large 1870s Chinese camp in the GG neighborhoods. How will construction workers and equipment operators be trained to recognize when the known site has been discovered? How will construction schedules be designed so qualified archeological anthropologist may examine and document materials? How much time will be set aside to document any new findings? How will duration be determined? Which agency or organization will be responsible for determining whether artifacts are significant prior to further disturbing the location?</p> <p>Regarding historic buildings: the GG Strategic Plan 2002, revised 2007, used a community process approved by the city council and identified goals for the GG Coalition. Among the top ten goals, Goal 5 identified preservation of the historic properties and GG historic context as critical to improving the blighted conditions within the neighborhoods. One component of the goal is a plan to conduct a historic survey in preparation for creating a possible historic conservation district. Within a historic conservation district, individual properties may not qualify for state of national register but are contributing structures to the context of the conservation area. The GG Coalition Neighborhoods were a unified neighborhood until slice by the SP ROW in 1936. Most homes were constructed between 1880 and 1930 with architecture representative of each decade.</p>	3.16 Cultural Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>How will HSR coordinate with the city regarding the identification and evaluation of historic properties within GG and the nexus of HSR ROW? How will historic evaluators be selected? Will consultants with knowledge of the unique history of San Jose, GG, and local historic resources receive hiring preference over those without this knowledge or resources? What metrics will the HSR use to determine the level of environmental significance of properties that are identified as qualified for the city's historic inventory but not for the federal and state registers? What distance from the ROW will be used to consider historic buildings? How was this distance selected? If a structure is identified as qualified for the state and national register, what range of mitigations for loss or damage will be offered? What agency will determine the mitigation? What appeal process will be available?</p> <p>If a structure is identified as eligible for the city's historic inventory or as a candidate for city landmark status, what range of mitigations for loss or damage will be offered? If a structure is identified as impotent for maintaining the context of the conservation district, but not individually important, what range of mitigations will be offered? Most walls are constructed of plaster and lath. Many have stucco exteriors. Dimensions of windows and doors are not the same as contemporary construction. Woodwork was custom milled by artisans and craftsmen. Some have feature windows or leaded glass. Consider the possible impacts of construction (pile driving, vibration) on these historic homes.</p> <p>Consider the long term effects of the operation of HSR, vibration, noise, etc. Consider the noise of HSR operation. What distance from the HSR ROW will qualify for mitigation/repairs? What mitigation/repairs will be offered to homes within the nexus of the ROW? Will damage to foundations, stucco, and plaster and lath walls be covered? Will the mitigations offered vary according to the age and historic category? Will repairs be with custom made and like materials or will property owners be required to accept modern replacements (dry wall, new window or door dimensions)? What levels of proof will be required for property owners? What agency will make the determination? What appeal process will be available? What types of sound proofing will be offered?</p> <p>Will the types of sound proofing vary according to whether the structure is eligible for the national or state registers, city landmark, city historic inventory, or contributing structure? What metrics will be used to determine the impacts of a taking? If a home built before WWII is identified as in the path of new ROW, what structure relocation options will be offered? How will those options contribute to the GG Strategic Goal #5 to maintain and preserve the historic context of the neighborhood?</p> <p>How will relocation options vary based on the age of the property, structural design, and whether it qualifies for the national or state register, city landmark status, city historic inventory or contributing to a future conservation district? If the property owner declines to relocate the structure what actions will HSR take to ensure that the historic structural resource is not lost to GG and city of San Jose at large? A portion of the GG has been identified at risk of blighted conditions/ To what extent will the impacts of the HSR increase the risk of blight? How will increased risk of blight place the historic properties at greater risk? What metrics will be used to identify this level of risk and its environmental significance? How was this metric selected?</p> <p>Regarding historic structures and features: The SPRR grade separators were constructed between 1934 and 1936 and were distinctive and representative of industrial architectural of the time period. Each contained a SPRR medallion, and they provide a historic context to the ROW which bifurcated GG.</p>	3.16 Cultural Resources
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	<p>How will the EIR/EIS address the significance of historic residential structures in the Hanchett neighborhood?</p> <p>How will the High-Speed Rail Authority mitigate the historic designation of the Diridon Station? How will the high-speed rail system add to the Diridon Station in an historically significant way?</p> <p>Will the EIR/EIS address the acknowledgement of native sites in and around the Guadalupe River Park and Gardens, and what are the plans for such sites?</p>	3.16 Cultural Resources
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and alternatives impact historic properties and the contextual integrity of the potential historic conservation area, including vibration damage and acquisition of historic structures?	3.16 Cultural Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Cultural Resources - Individual/Private Property Owner		
Hanchett Residence Park, Deborah Arant	<p>How will the EIR/EIS address the significance of historic residential structures in the Hanchett neighborhood?</p> <p>How will the High-Speed Rail Authority mitigate the historic designation of the Diridon Station? How will the high-speed rail system add to the Diridon Station in an historically significant way?</p> <p>Will the EIR/EIS address the acknowledgement of native sites in and around the Guadalupe River Park and Gardens, and what are the plans for such sites?</p>	3.16 Cultural Resources
Preservation Action Council of San Jose, Brian Grayson	<p>How will the CHSRA coordinate with the City of San Jose to identify and evaluate historic properties within the Greater Gardner Planning Area and the nexus of the high-speed rail right of way?</p> <p>How will HSRA determine the level of significance of properties that are identified as qualified for the City of San Jose's historic inventory? How will potentially historic significant properties that have not yet been placed on the inventory be identified?</p> <p>What mitigations will be offered for residences that are identified as not individually important but maintain the context of the conservation district?</p> <p>What mitigations will be offered for residences that are eligible for the city's historic inventory or for landmark status?</p> <p>What mitigation repairs will be offered to homes within the nexus of the project due to the effects of construction, and will the age and historic category be considered?</p> <p>What mitigation repairs will be offered to homes within the nexus of the project, considering its long-term effects? What sound-proofing will be offered so that historic homes maintain their historic integrity? What metrics will be used to determine if the impacts will constitute a "taking"?</p> <p>To what extent will the impacts of the project increase the risk of blight?</p> <p>Will HSRA retain the original 1936 architecture and Southern Pacific medallion of the grade separation at Delmas Avenue, or will a new design that is reminiscent of the original be used? Will the Southern Pacific medallions be re-installed on the grade separation and protected during construction? What mitigations would be offered for loss of this resource?</p> <p>A significant Native American burial site is located on the east side of Tamien Station. How will HSRA protect this site?</p> <p>Willow Street at Guadalupe River was a significant crossing of the Guadalupe River, and nearby there is a high likelihood of additional sites. Will Communication Hill/Dairy Hill is also a Native American archaeological site that has been identified and should be examined for artifacts.</p> <p>There may be a Chinese camp from the 1870s in the Greater Gardner Planning Area that should be examined for artifacts.</p> <p>Coyote Grange Hall and Coyote Depot on Monterey Road are on the San Jose Historic Inventory. Will they be affected by the new right-of-way, or by closer tracks? What impacts will there be from construction and operation of a high-speed train system?</p>	3.16 Cultural Resources
Individual, Lawrence Ames	<p>Will the bridges that cross Almaden Road and Alma Avenue be evaluated for historic significance? Will they be demolished and replaced by the proposed alignment?</p> <p>Will Paradiso's café on Auzerai's adjacent to the tracks be impacted by the project?</p>	3.16 Cultural Resources
Individual, Don Loquiao	The area that the alignment passes through contains sensitive historical and archaeological sites.	3.16 Cultural Resources
Silverleaf Neighborhood Association, Deborah Miller	Address the project's effect on historic landmarks, including the historic El Camino Real and Almaden Quick Silver Mines.	3.16 Cultural Resources

Table 4: Summary of Public Scoping Comments - Protection of the Environment

Commenter	Summary of Comments	Relevant EIR/EIS Section
Cumulative Impacts - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	<p>Where adverse cumulative impacts are identified, the Draft EIS should disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts.</p> <p>The cumulative impact analysis should consider transportation and non-transportation projects such as large-scale developments and approved urban planning projects that are reasonably foreseeable and are identified within city and county planning documents.</p> <p>Describe the "identifiable present effects" to various resources attributed to past actions.</p> <p>Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. Identify the trend in the condition of the resource as a measure of present impacts.</p> <p>Identify potential large, landscape-level statewide and regional impacts, as well as potential large-scale mitigation measures.</p> <p>EPA recommends that CHSRA use the Caltrans cumulative impacts guidance, which is applicable to cumulative impact analyses for non-road projects.</p>	3.17 Cumulative Impacts
Cumulative Impacts - Regional Agency		
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	CEQA and NEPA require that cumulative impacts be analyzed. Concerned about the cumulative impacts of aligning the rail project on Henry Miller Rd.	3.17 Cumulative Impacts
Agency Consultation - State Agency		
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	Depending on the alignment along SR 152, impacts could result in lands owned by the department. Request early consultation to allow for informed decision-making, which can avoid costly alternatives later.	7.2 Agency Consultation

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - Individual/Private Property Owner		
Individual, Lawrence Ames	In Appendix 2-E: Cross Sections, should Figure PP-2 (p.2E49) show the roadway clearance instead of the 16' clearance between the roadway and the level of the tracks? Is overhead wiring more expensive than electrified third-rail? Will southbound trains go south to Los Angeles or east/north to Merced and Sacramento? How many trains will go through San Jose without stopping?	1.3 Purpose and Need
Individual, Ken Eklund	An in-depth futures study to the high-speed rail scoping process should be added that includes a full range of alternative futures. The futures study should examine the underlying assumptions of the 2 hour and 40 minutes target, including: airport security, train security, terrorism, air travel viability, auto travel viability, changes in travel demand, changes in consumer preference, availability of electrical power, point to point vs. network to network, and project lifetime. A proper range of studies that addresses the issues needs to be incorporated into the high-speed rail scope and plan. The high-speed rail project should seek an approach that balances its advantages across a spectrum of competitive areas (including timeliness, environmental impact, energy efficiency, flexibility of energy source, quality of experience inside and outside the train, and connection to feeder transit systems) rather than on the 2 hour and 40 minutes target.	1.3 Purpose and Need
Alternatives - Federal Agency		
Refuge Manager, US Fish and Wildlife, Kim Forrest	The Bay Area Programmatic EIS says there will be no stop in Los Banos, how can that be assured that a station won't ever be built? The explosive growth that a stop there would destroy the rural and conservation values of the area.	2.3 Alternatives
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Use the results of the growth inducement analysis to inform station locations, and parking lot size and locations.	2.3 Alternatives
Alternatives - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	Several grade separations along the proposed route may be significantly impacted, as such structures have the roadway elevated above or below the railroad tracks. Also, any modification of these grade separated crossings will require structures meet GO 26-D clearances.	2.3 Alternatives
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	Since the goals of HSR are to diminish car use, combat pollution, and support the desired housing densification in metropolitan areas, HSR needs to attract the maximum number of passengers. To do this, the largest population centers should receive the highest priority, connecting the stations using the straightest alignment. Take care to not duplicate existing transit services. Develop routes with the fewest number of stops to maximize speed. Reductions in HSR efficiency diminish all forms of transit connecting to HSR and render benefits of the system less effective in reducing vehicular volumes.	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Alternatives - Regional Agency		
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	Describe the range of reasonable alternatives to the project, or to the location of the project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the effects of the project and evaluate the comparative merits of the alternatives. Focus on alternatives that would avoid or substantially lessen any significant effects of the project even if these alternatives would impede to some degree of attainment of the project objective or be more costly. Under NEPA, consider alternatives to their proposed actions as well as their environmental impacts. The purpose is to support the decision makers and to inform public participation. Urge the Authority to determine if alignments immediately outside of the GEA are feasible and would substantially lessen the potential environmental impact of the project. Alternative corridors should be evaluated including Highway 140 north of GEA and an alignment south of the GEA along Nees Rd.	2.3 Alternatives
Mariposa County Board of Supervisors, Brad Aborn/Janet Bibby	Return the HSR route back to the Altamont Pass. The Pacheco Pass is completely unacceptable, as the County stated in a letter dated July 13, 2007 and Resolution No. 07-566	2.3 Alternatives
Resource Management Agency Director, Madera County, Rayburn Beach	Can a new alignment be studied in combination with the Highway 99 western truck by pass? Support an alignment west of Highway 99, because a north-south alignment traverses along the west side of Madera, Fairmead, and Chowchilla. The west of Highway 99 route avoids the issue of a merger between the two currently proposed alignments.	2.3 Alternatives
Alternatives - City Agency		
City of San Jose District 6, Pierluigi Oliverio	A portion of the high-speed rail alignment that comes through San Jose should be tunneled so that the train does not have to reduce its speed.	2.3 Alternatives
City of Atwater, Greg Wellman	The City of Atwater would like to work collaboratively with the County of Merced High-Speed Rail Authority and other jurisdictions to designate Castle Air Force Base as a maintenance hub for the high-speed rail project, which would foster economic and social development in the area.	2.3 Alternatives
City of Morgan Hill, City of Morgan Hill Community Development Department, Planning Division	Recommend a design option for an alignment that would run through Morgan Hill along US 101. Believe this should be the preferred alignment.	2.3 Alternatives
Mayor, City of Morgan Hill, Steve Tate	Include design options for an alignment along US 101 through Morgan Hill. Make this the preferred alignment.	2.3 Alternatives
City of San Jose, Department of Transportation, James R. Helmer	Analyze attractive visual design and noise mitigation measures that are appropriate for the community context and below grade profile between Julian Street and Tamien Station Area; this can avoid negative noise and visual impacts to the greater downtown area. Align HSR along Route 280 and 87 to reduce impacts to Gardner and North Willow Glen neighborhoods. Provide three tracks (instead of four) to lessen or avoid physical impacts in the Gardner and North Willow Glen neighborhoods. Refine the HSR design concept in the Monterey Highway corridor - from Capitol Expressway to Morgan Hill - into a compact design allowing four tracks (reduced from six) to avoid property acquisition along the corridor	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
The City of Madera, Community Development, David J. Merchen	<p>Evaluate a potential alignment west of Highway 99 (westerly alignment).</p> <p>Develop an alignment south of Highway 152 to avoid potential impacts that would result if a "Chowchilla Triangle" encompassed the city and the General Plan area. Fencing to protect the train right-of-way would form a barrier around the city. The east-west alignment along Avenue 24 would split the two state correctional facilities that lie east of Highway 99; an alignment to the south of Highway 152 would avoid these facilities. Using the right-of-way or adjacent right-of-way (to be acquired by UPRR) would decimate the Chowchilla downtown and waste the Chowchilla Redevelopment Agency funds.</p> <p>Support placement of the HSR maintenance facility in one of several alternate locations within Madera County, given the area's central location, availability of freeway and rail access, and ability to place the maintenance facility at or near the intersection of the east-west and north-south lines.</p>	2.3 Alternatives
City of Gilroy, Community Development Department, Don Dey	<p>Favor a HSR alignment that follows the Union Pacific tracks through the city and has a HSR station at the Caltrain station.</p> <p>Support the alignment along the UP right-of-way proposed in the statewide program EIR/EIS. Recommend analysis that assumes use of the current UP right-of-way through Gilroy to San Jose and that looks at: an aerial alignment above the UP track, a trench alignment below the UP tracks, and a trenched vertical alignment alternative through Gilroy for all railroad tracks (HSR, Caltrain, and UP), to maintain the pedestrian integrity of the city's revitalized downtown. For stations, recommend analysis of a preferred station at the Gilroy Caltrain station and at the alternative locations on the east side of the UP tracks across from the Caltrain station and south of Tenth Street. Also, recommend analysis of an alternative rail alignment through Pacheco Pass that follows the proposed/preferred 152/156 freeway alignment toward US 101.</p>	2.3 Alternatives
Mayor of City of Chowchilla, Justin White	<p>Concerned with the initial alternatives adopted by the Authority, as they physically isolate Chowchilla. The two routes, east-west and north-south, will impact the city's transportation system connectivity, existing and future land use patterns, and economic impacts to residential, industrial, commercial, and public facilities in the city and its immediate growth areas. Interested in alternative concept of "metro loop" also proposed as a regional solution to traffic congestion in the San Joaquin Valley. This alternative provides Chowchilla and the county in consultation with the Authority, an opportunity to define more precise routes with fewer potential impacts, particularly the routes south of Highway 152, the BNSF right-of-way, and CH2MHill's recent western alignment.</p> <p>Consider the BNSF right-of-way alignment south of Highway 152, because it misses Fairmead, crosses Highway 99 near the new interchange, and misses the prisons, providing an opportunity for a maintenance facility in several locations, such as west of Highway 99 or in the triangle. Also, consider refinement of CH2MHill alternative that moves the north-south alignment farther west to avoid substantial isolation of Chowchilla and provides for additional maintenance facility locations west of Highway 99 and one north of Highway 15. Both of these alternatives could be easily served from BNSF and UPRR.</p> <p>Consider a maintenance facility north of Highway 152 and west of Highway 99, where Chowchilla is planning to construct a railroad spur to serve its industrial area. Extending that spur is feasible; the maintenance facility's proximity to an expanded industrial area could provide an accessible location for the facility's supplier. Water and sewer service could be available at this site, within the timeframe. These alternatives are superior to the proposed route in the NOP and would not overly impact Chowchilla's growth or compromise planned regional and local circulation systems. It would be consistent with the San Joaquin Valley blueprint, minimize the potential for encountering endangered species, generally be consistent with the grasslands issues to the west, and avoid potential conflict with the Chowchilla airport. These alternatives also promote the Authority's goals for more surface alignments that avoid elevated and depressed construction, and would promote greater acceptance from affected local governments and stakeholders, and cost sharing by local governments (Chowchilla would share in the cost of surface rail access to the maintenance facility).</p>	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Alternatives - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	If the DEIR/EIS identifies any significant and unavoidable impacts not already disclosed by the prior PEIR/S, the alternatives analysis should be reopened to determine whether any of the previously rejected alternatives, like Altamont Pass, could avoid the impacts.	2.3 Alternatives
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Evaluate and consider alternative routes that are less disruptive to the Gardner neighborhood, like the south route between Diridon and Tamien stations. Alternatives that bypass Greater Gardner or travel underground will not only preserve the quality of life in Gardner, but will also contribute significantly towards reaching the goal of train travel from SF to LA in 2 hours, 40 minutes. Will the 280 freeway corridor be considered for HSR through Gardner, if not, why not? What is the rationale for not choosing 280 since it is a long range corridor already? What benefit of enhancement on Greater Gardner could result from at-grade, elevated, trench or underground paths? List all enhancements and analyze in regard to each of the alternatives or bypassing route	2.3 Alternatives
Merced County Farm Bureau, Diana Westmoreland-Pedrozo	The Merced County Farm Bureau does not support the Pacheco Pass route. The Altamont pass should be considered as the prime route.	2.3 Alternatives
Merced Mariposa County Asthma Coalition, Anna M. Sanchez	There should be a high-speed rail stop in Los Banos, as at least 60 percent of residents commute to the Bay Area. The route passing through Los Banos should be reconsidered as it passes closely to the migrant camp "El Campo" and could negatively impact residents. A bypass in Los Banos may not be necessary if there is a stop instead.	2.3 Alternatives
Frazier Lake Airpark, Monty Groves	The proposed alignment will bisect the Frazier Lake Airpark in northern San Benito County. Who can the Board of Directors work with to address their concerns and when can they start working on the issue?	2.3 Alternatives
Morgan Hill Chamber of Commerce, Christine Giusiana, President/CEO Christopher Bryant, Chair of EDC	High-speed rail tracks should run along the 101 corridor since the trains will not be stopping in Morgan Hill.	2.3 Alternatives
Building Industry Association of Central California, Stephen Madison	The Building Industry Association of Central California supports a high-speed rail system, the establishment of a high-speed rail station in downtown Merced, and the selection of the former Castle Air Base economic development zone as the location for a construction and maintenance facility hub for the high-speed rail system.	2.3 Alternatives
Sierra Club - Merced, JoAnne Clarke	Support the project and believe that the final route selections should utilize existing transportation corridors, avoid rural undeveloped areas, farmland, and environmentally sensitive lands while taking advantage of existing transportation systems like BART and Caltrain. The Highway 99 corridor and Altamont Pass alignments should be considered so that BART could be used for the Bay crossing and the wetlands habitat around the Bay and grasslands area between Merced and Los Banos could be avoided. The Altamont Pass transportation corridor is already developed and used to its full potential on a daily basis by Valley commuters to their jobs in the Bay Area. This route needs relief from traffic congestion and would benefit from transportation alternatives.	2.3 Alternatives
Willow Glen Neighborhood Association, Richard Zappelli	Evaluate an alternative alignment from Tamien station that follows Hwy. 87 to the I-280 interchange and go underground to Diridon Station, with rail for high-speed trains, Caltrain, and UPRR. Evaluate an alternative alignment for high-speed trains, Caltrain and UPRR which would descend into a trench adjacent to the UPRR right-of-way near Curtner Avenue and goes underground before Tamien station, travels under Guadalupe River and Los Gatos Creek and arrives underground at Diridon Station. How will the cost of the proposed alignment and alternatives be weighed with environmental factors?	2.3 Alternatives

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Commenter	Summary of Comments	Relevant EIR/EIS Section
Voices of San Jose, Jean Dresden, David Dearborn	<p>Consider the "Thread the Needle" (TNN) alternative as a faster (reducing travel time through San Jose by 12 to 16 seconds per train), more secure option than the double-S curve on the current proposed alignment between Tamien and Diridon (see appendix XX for full description, maps, and associated attachments). TNN proposes crossing Highway 87 near West Virginia Street north of Tamien, going through the 87-280 interchange and on to Diridon Station underground via a 4,300-foot tunnel. TNN would provide faster travel time; respect San Jose's history, livability and sense of community; facilitate wider degrees of freedom in land use planning and design; and include the option of undergrounding UPRR and other heavy rail.</p> <p>As an underground alternative, TNN would minimize or eliminate potential environmental impacts to/from socio economic, neighborhood and environmental justice; eminent domain; land taking; traffic and mobility; biological resources and riparian corridors; noise and vibration; construction; need for sound mitigation; cumulative and secondary impacts; parks, recreation and open space; transportation and circulation; local growth; station planning; land use and planning; EMI/EMF; security and public safety; blight, land remnants and misuse; aesthetics and visual quality; hydrology and water resources; and geology and seismicity.</p> <p>Consider the "5100m" tunnel alignment option to the double-S curve on the current proposed alignment between Tamien and Diridon (see appendix XX for full description, maps, and associated attachments). The 5100m alternative would descend underground near Curtner Avenue, travel 1500 meters through a tunnel, passing under Guadalupe River, Highway 87, I-280, Los Gatos Creek to Diridon Station. The 5100m alternative would provide faster travel time (removing 30 seconds from every HSR train stopping in San Jose); respect San Jose's history, livability and sense of community; facilitate wider degrees of freedom in land use planning and design; and include the option of undergrounding UPRR and other heavy rail.</p> <p>As an underground alternative, 1500m would minimize or eliminate potential environmental impacts to/from socio economic, neighborhood and environmental justice; eminent domain; land taking; traffic and mobility; biological resources and riparian corridors; noise and vibration; construction; need for sound mitigation; cumulative and secondary impacts; parks, recreation and open space; transportation and circulation; local growth; station planning; land use and planning; EMI/EMF; security and public safety; blight, land remnants and misuse; aesthetics and visual quality; hydrology and water resources; and geology and seismicity.</p>	2.3 Alternatives
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	The San Jose Department of Transportation has expressed preference for a below-grade high-speed rail station in the Diridon Station area. A full range of options should be studied for rail alignment to accommodate all types of transportation that are being studied for the Diridon Station area/Downtown.	2.3 Alternatives

Alternatives - Individual/Private PropertyOwner		
Individual, Greg Thompson	Castle Air Force Base is a good location for a maintenance facility for the high-speed trains.	2.3 Alternatives
Individual, John Cherniavsky	<p>Support the project and think the current Caltrain alignment between Tamien and Diridon stations should be reconsidered to continue along Highway 87 and elevated above Highway 280, which is a more direct alignment and will impact neighborhoods less.</p> <p>The project provides an opportunity to move all of the existing train tracks (freight and Caltrain) to the new alignment.</p>	2.3 Alternatives
Individual, Kin Cheung	High-speed rail should be built underground where it passes through downtown San Jose and other densely populated areas in the city.	2.3 Alternatives
Frazier Lake Airpark, Joe Wagster	Consider having the high-speed rail alignment avoid Frazier Lake Airpark to ensure that the public, pilots and mechanics can maintain access to the historic antique aircrafts that are housed there.	2.3 Alternatives
Individual, Derek Young	Will the existing Diridon Station be modified or replaced? Will the at-grade crossings on the Caltrain tracks be removed? What are the price differences per mile of elevated track, trench, and tunnel options compared to building the tracks at-grade?	2.3 Alternatives
Individual, Daniel Erceg	Consider sharing highway rights-of-way with Highways 85 and 87 and the 280 and 680 corridors as alternative routes, which are isolated, more direct, and will allow for high speeds while creating less negative impacts.	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Hanchett Residence Park, Deborah Arant	The San Jose Department of Transportation has expressed preference for a below-grade high-speed rail station in the Diridon Station area. Study a full range of options for the rail alignment to accommodate all types of transportation that are being studied for the Diridon Station area/Downtown. Identify the proposed transition route from Diridon Station to San Jose International Airport.	2.3 Alternatives
Individual, Kim Karcher	What is the maximum height considered for grade separation in the Greater Gardner neighborhood?	2.3 Alternatives
Frazier Lake Airpark, Walter Windus	How will impacts from the proposed alignment going through Frazier Lake Airpark be minimized?	2.3 Alternatives
Individual, Robert Rieger	Will a maintenance facility be constructed in the Merced area? If one is to be located in Merced, will maintenance people be hired from the local area or will they be hired from outside of the area?	2.3 Alternatives
Individual, Mark Brux and Eddie Gutierrez	Implement a train stop in Los Banos/Santa Nella because of the impact from commuters going through the Pacheco Pass to Gilroy, and because the Los Banos-Santa Nella area is projected to be one of three hubs of major population growth in the Central Valley in the upcoming years. There are already other stops planned, such as along the Hwy. 99 corridor, which are as close together as Los Banos/Santa Nella and Gilroy, and a schedule can be developed where trains run on express lines with fewer stops or on lines that stop at every station, including a potential one at Los Banos/Santa Nella.	2.3 Alternatives
Willow Glen Neighborhood Association, Bob Mulvany	The proposed alignment should continue north toward the Hwy. 87/280 maze through a series of tunnels, bridges, and underpasses rather than cut through the Willow Glen residential neighborhoods.	2.3 Alternatives
Individual, Debbie Palmer	High-speed rail should go underground wherever it passes through urban space, which would eliminate noise and visual impacts, and eliminate costly buyouts of property owners ousted by eminent domain. Putting high-speed rail underground would allow much higher speeds in urban areas. If high-speed rail is above ground, it should be elevated on a structure that allows air and sunlight to reach the space below it, as opposed to a solid wall. The land below the corridor could be used as urban agricultural land or for community gardens.	2.3 Alternatives
Berliner Cohen Attorneys at Law, on behalf of Madelyn Bourdet, Jolie Houston	Alternative locations in the Pacheco Pass area should be specifically studied. Alignment of the tracks across Hwy. 152 could preserve the Bourdet family homes and ranch operations.	2.3 Alternatives
Individual, Steven Forster	There should be a trade-off between the HSRA and the City of San Jose to place high-speed rail down the medians of Hwys. 85 and 87 while relocating the current VTA light rail line to Monterey Highway. This may be less expensive than the current high-speed rail alignment proposal, which would involve building over and underpasses at each at-grade crossing, procuring residential land, and possibly tunneling underground. It makes more sense to send a high-speed train down the middle of a freeway, which already has space for three tracks as well as overhead electricity lines, rather than through residential streets and neighborhoods. A high-speed train going through south San Jose's neighborhoods is not accessible to any passengers between Morgan Hill and Diridon Station does not make sense.	2.3 Alternatives
New Horizons Condominium Development, Luther Perry	High-speed rail tracks should be placed at-grade south of Diridon Station, through the residential areas down to Monterey Highway. South of the Virginia Street crossing to Tamien station there is enough space to expand the Caltrain infrastructure from two tracks to four tracks, using fill or a combination of fill and "outboard piers" along the east side of the station. Breaking the overpass for the Almaden Expressway for an upper-level high-speed rail system would severely impact commuters, therefore keeping high-speed rail at-grade in this area is important to maintain support for the project. A double-level elevated high-speed rail system would be opposed at New Horizons Condominium development because it would be above the current 10-foot Caltrain soundwall, resulting in negative sound impacts. A double-level system would also block residents' views to the west. Both impacts would result in a decline in property values.	2.3 Alternatives
Individual, Lawrence Ames	The high-speed rail alignment should follow freeways (Hwy. 87 and 280) instead of the Union Pacific tracks, which has many advantages including: minimal impact on residential communities and historic areas, less expensive than elevated tracks, no loss of parkland, and a smoother and faster ride.	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Ken Eklund	<p>Conduct a study that includes a cost-benefit analysis comparing two options: 1) a high-speed rail train that runs from San Francisco to Gilroy, with a stop in San Jose before continuing south and 2) a Caltrain express train goes from San Francisco to Gilroy, with a stop in San Jose, and then passengers cross a platform to board a high-speed train that will continue south (Gilroy would be the terminus of the high-speed rail system in this scenario). The second scenario could be the best alternative because an upgraded Caltrain would shuttle people efficiently in its corridor and the high-speed trains would be able to travel at high speeds (200+mph) in open country past Gilroy. The first scenario would be more expensive and more difficult to implement because of the challenges associated with high-speed trains running through urban terrain. If high-speed trains are kept out of the Caltrain right-of-way, potentially dangerous situations in which high-speed trains run alongside freight trains or Caltrains could be avoided. The second scenario allows for the specialization and optimization of train corridors for particular types of trains and services.</p> <p>It is unclear if there can be a successful track configuration in which high-speed trains Caltrain, and freight trains can navigate this stretch of terrain safely and efficiently. Freight trains could be rerouted into a tunnel that goes underground south of Tamien Station and continues underground until past the Caltrain depot north of Diridon Station. If freight trains are removed from the alignment, then it is possible for Caltrain and high-speed rail to work the above ground alignment to achieve smoothness and efficiency goals. Another option is to establish a tunnel connection and underground station for high-speed rail and Caltrain at Diridon and have the tunnel continue to Tamien Station, which would also have an underground station for high-speed rail, Caltrain and light rail. Both options would minimize the negative impacts of noise pollution and diesel smoke in neighborhoods and park areas.</p>	2.3 Alternatives
Individual, Joseph Maiorino	The high-speed rail alignment should follow the 152 or I-5 corridor. The proposed alignment splits a 211-acre property, could make moving equipment difficult, risks pesticide applications from the train traveling through the area. The proposed alignment also interferes with his farming operations.	2.3 Alternatives
Individual, Norman Gould	Station locations should be decentralized and outside of cities so that people come to the stop themselves.	2.3 Alternatives
Individual, Clorete Almeida	<p>The alignment through the downtown Gilroy area should go along the east side of the existing train tracks, rather than along downtown buildings.</p> <p>The train should travel on the east side through downtown Gilroy.</p>	2.3 Alternatives
Individual, Gary Harris	Oppose the Pacheco Pass route and prefers the Altamont Pass, which is more densely populated. Picking up passengers at designated spots and then traveling to the Bay Area is more important than coming to San Jose first and then into San Francisco.	2.3 Alternatives
Individual, Ward Lewis Crary	<p>A stop in Palo Alto, in addition to Redwood City, could be useful because of Stanford University.</p> <p>A high-speed rail line along the Altamont commuter express line would be a good idea for a direct line to Sacramento.</p>	2.3 Alternatives
Individual, Gary Jansen	<p>The Altamont Pass must be seriously considered as an alternative because of its less expensive cost, reduced negative effect on the environment and reduced negative impact upon existing residential neighborhoods.</p> <p>The Altamont Pass is a more logical alternative because it benefits a greater number of urban riders and allows for the trains to travel at higher speeds from San Francisco to Los Angeles.</p> <p>Another alternative that should be analyzed is using 280 or Hwy. 87, which are existing public rights-of-way and would reduce negative impacts to the Gardner neighborhood.</p> <p>The Altamont Pass must be seriously considered because it is less expensive, has a less negative impact on the environment, can be engineered and built more easily, and reduces impacts on existing neighborhoods. The Altamont Pass also benefits a greater number of urban riders, and trains would be able to travel at higher speeds from San Francisco to Los Angeles using this route.</p>	2.3 Alternatives
Individual, Bill Wattenbarger	A high-speed train is a better alternative than flying or riding a bus for distances 300 miles or less.	2.3 Alternatives
Bonnie Schisler	High-speed trains should go over the expressway and underground in a tunnel.	2.3 Alternatives
Individual, Nick DiJulio	An alternate alignment should be considered that adjoins the U.S. 101 South Valley Freeway from Gilroy to approximately the SR 85 junction, rather than the alignment along the UPRR.	2.3 Alternatives
Individual, Don Loquiao	The tunnel should be re-routed at Dinosaur Point Road to reduce impacts on existing residences on the south side of Hwy. 152 near Dinosaur Point Road.	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Wellington Corporation, Glenn Pace	Consider moving the Merced station to the area around Chowchilla so that it will be more available to residents of Merced and Madera counties.	2.3 Alternatives
Individual, Barbara Jamison	Would prefer to see the BART system extended into the Central Valley as far as Merced. Consider expanding Amtrak service to increase the number of north- and southbound trains, since the system is already in place. A high-speed train from Merced to San Francisco International Airport would be a good resource for Valley travelers.	2.3 Alternatives
Wellington Corporation, David Pace	The first Central Valley stop for the high-speed train should be at a location equidistant between the population centers of Merced and Madera, at the existing hub near the crossing of Hwys. 99 and 152. The hub near the crossing of Hwys. 99 and 152 would be a logical location for a railway service/maintenance yard.	2.3 Alternatives
Individual, Ann McCauley	There should be a high-speed rail stop somewhere between Santa Nella and Los Banos, which is projected to experience major population growth in the future. Many residents in the area commute to the Bay Area on a daily basis, and the number of these commuters will increase when the economy improves. High-speed trains will not be able to travel at their maximum speed of 220 mph around Los Angeles or between Merced/Modesto/Stockton because of the number of stops, so a stop in Los Banos should be feasible. Environmental and economic issues can be worked around for the benefit that this transportation network would have for residents.	2.3 Alternatives
Individual, Diana Westmoreland	The Altamont Pass should be considered instead of the Pacheco Pass, which would avoid wetlands and farmland in Merced County.	2.3 Alternatives
Individual, Gary L. Harris	The Altamont Pass should be considered instead of the Pacheco Pass, which would avoid the wetlands.	2.3 Alternatives
Individual, Greg Thompson	The UPRR north/south alternative is preferred because it better connects the downtown centers of the major cities the alignment passes through, which will lead to stronger redevelopment of these areas.	2.3 Alternatives
Individual, Karen Griffiths	The alignment should be reconsidered to follow Hwy. 152.	2.3 Alternatives
Individual, Mary Lou Snowden	Have express Caltrain trains run from San Francisco and San Jose to a transportation hub in Gilroy, and build the high-speed rail corridor from Gilroy to Los Angeles. This alternative alignment would run through open space and bypass urban neighborhoods.	2.3 Alternatives
Individual, Monique Serrano	Other alternatives for the high-speed train system should be considered, including underground or above-ground.	2.3 Alternatives
Individual, Terry Snowden	Train services and speed between San Francisco and San Jose should be improved on the existing Caltrain system. Running a high-speed train through neighborhoods in San Jose is inappropriate and will be costly to design with minimum impacts on the neighborhoods. Consider starting the high-speed train corridor from a Gilroy transportation hub.	2.3 Alternatives
Individual, Adam Greco	Support the project but believe a high-speed train passing through densely populated areas such as the middle of cities or towns is not safe. There should be a station in Chowchilla, where the high-speed train lines converge. A train could run between San Francisco and Chowchilla, and passengers could transfer to a train traveling between Los Angeles and Sacramento. The current plan has two trains leaving every starting station and diverging in Chowchilla in two different directions, which adds substantial cost due to the additional track line, easements and number of trains. The Central Valley population is growing and there will be an increased need and utility of the high-speed train. Stops at appropriate cities along the routes will encourage and facilitate use of the train.	2.3 Alternatives
Individual, Bill King	Support the project but believe that it is unsafe to have a high-speed train pass through overpopulated areas. The train should be centrally located but not go directly through towns. The current plan to have high-speed train lines converge in Chowchilla before going to San Francisco results in the need for additional track line, easements, and number of trains, which will be costly. There should be a station in Chowchilla where the high-speed train lines converge, which would encourage and facilitate use of the train by the growing Central Valley population.	2.3 Alternatives

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Cory Meredith	Support the project but believe that it is unsafe to have a high-speed train pass through overpopulated areas. The train should be centrally located but not go directly through towns. The current plan to have high-speed train lines converge in Chowchilla before going to San Francisco results in the need for additional track line, easements, and number of trains, which will be costly. There should be a station in Chowchilla where the high-speed train lines converge, which would encourage and facilitate use of the train by the growing Central Valley population.	2.3 Alternatives
Individual, Jessica Greco	Support the project but believe that it is unsafe to have a high-speed train pass through overpopulated areas. The train should be centrally located but not go directly through towns. The current plan to have high-speed train lines converge in Chowchilla before going to San Francisco results in the need for additional track line, easements, and number of trains, which will be costly. There should be a station in Chowchilla where the high-speed train lines converge, which would encourage and facilitate use of the train by the growing Central Valley population.	2.3 Alternatives
Individual, Joanna Gourley	There should be a stop in Chowchilla, where the rail lines converge, which could be a focal point for travel in California as the Central Valley grows. A stop in Chowchilla would be a boon to the Central Valley and ease California's housing issues by making it more convenient for people to live in and access the area.	2.3 Alternatives
Individual, Michael Lyon	Support the project but believes that it is unsafe to have a high-speed train pass through overpopulated areas. The train should be centrally located but not go directly through towns. The current plan to have high-speed train lines converge in Chowchilla before going to San Francisco results in the need for additional track line, easements, and number of trains, which will be costly. There should be a station in Chowchilla where the high-speed train lines converge, which would encourage and facilitate use of the train by the growing Central Valley population.	2.3 Alternatives
Individual, Suzanne Thoreson	Support the project but believe that it is unsafe to have a high-speed train pass through overpopulated areas. The train should be centrally located but not go directly through towns. The current plan to have high-speed train lines converge in Chowchilla before going to San Francisco results in the need for additional track line, easements, and number of trains, which will be costly. There should be a station in Chowchilla where the high-speed train lines converge, which would encourage and facilitate use of the train by the growing Central Valley population.	2.3 Alternatives
Individual, Tanya Rackerby	Support the project but believe that high-speed trains traveling through densely populated areas creates innate issues. A station in Chowchilla would increase the efficiency of the high-speed train program and would result in cost savings through a reduced amount of track and trains. Travel would be easier with lines running between Chowchilla, San Francisco, Sacramento, Los Angeles and Southern California.	2.3 Alternatives
Individual, Patricia Gormley	Consider the I-280/Hwy. 87 corridor as alternatives.	2.3 Alternatives
Individual, Susan Voss	The change of route to Gilroy from 2002 is an improvement.	2.3 Alternatives
Individual, Kim Forrest	The route over Pacheco Pass was the wrong choice. The need is over Altamont, which is heavily traveled and has large population centers needing the service and reduced environmental impact. The impact of HSR through the Grasslands and Pacheco would be extreme, irreversible, something you can't mitigate. The damage would be immense to this ecologically critical area. Go over Altamont. Better yet, keep the project within the urban areas that need it, LA, SF, and San Diego.	2.3 Alternatives
Individual, Khang Huynh	In favor of a high-speed rail stop in Los Banos.	2.3 Alternatives

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Commenter	Summary of Comments	Relevant EIR/EIS Section
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Has the CHSRA looked at alternate corridors that do not pass through residential areas? Why do the high-speed trains need to stop at Diridon Station? Why can't the train tracks on the other side of Willow Glen be used? How high will train tracks be elevated? Consider using Hwy. 87 or Old Monterey Road as an alternative corridor, which would not cross as many bridges. Will there be a choice to have no construction of the project at all? If so, how feasible is it?	2.3 Alternatives
Transportation - Regional Agency		
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	HSR passenger projections imply the need for a great deal of access needs for passengers boarding and deboarding at HSR stations. Need to detail assumed background level of local transit service and automobile access and assess the impact of these assumptions on local transit providers and the street and roadway system. The Gilroy station will serve as a transfer point for express and local bus service	3.1 Transportation
Transportation - County Agency		
Resource Management Agency Director, Madera County, Rayburn Beach	The west of Highway 99 route would facilitate construction of a Caltrans Highway 99 truck by-pass route and allow easy access to proposed rail stations.	3.1 Transportation
Transportation - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	San Francisco/San Jose/Gilroy segment avoids temporary traffic and construction impacts in downtown San Jose.	3.1.6 Transportation/Construction Impacts
Transportation - Individual/Private Property Owner		
Frazier Lake Airpark, Angelo Lombardo	The proposed route from Gilroy to Merced passes through Frazier Lake Airpark at 7901 Frazier Lake Road. If the proposed alignment is not changed, pilots will need to relocate since the alignment goes down the runway and through the hangars, and visitors will not be able to attend the monthly open house show days. The airpark would be unaffected if the alignment is located slightly north of what is proposed.	3.1 Transportation
Individual, Eric Anderson	Request that the Drake/Virginia Streets crossing not be obstructed by the proposed high-speed train system, which, if elevated, would cut off the "human-scale" access to the Gardner/North Willow Glen neighborhood. Traffic on Fuller Avenue would be impacted, including emergency services having greater difficulty navigating the area. Cutting off Fuller Avenue would isolate the community. If the rail is elevated, there may be an opportunity to add more pedestrian and bike connections across the tracks, between Drake and Bird or between Bird and Delmas, which would provide better access to the school and community center north of the tracks. Concerned that four tracks elevated over pedestrian routes will create dark places that pedestrians will be afraid to cross.	3.1 Transportation
Willow Glen Neighborhood Association, Bob Mulvany	The proposed alignment negatively impacts the bike trail located between the current rail line and Hwy. 87 from Curtner Avenue North to Willow Street. The proposed alignment should provide a pedestrian and bike bridge across the rail line for the Three Creeks Trail as it crosses under Hwy. 87. Access to the Los Gatos Creek Trail should also be provided.	3.1 Transportation
Individual, Lawrence Ames	Why does the state route map on the high-speed rail project web site show a pink line connecting San Jose to Oakland?	3.1 Transportation
Noise and Vibration - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	Concerned about noise impacts of HSR design options at Diridon Station, as well as in downtown and its adjacent neighborhoods.	3.3 Noise and Vibration

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Commenter	Summary of Comments	Relevant EIR/EIS Section
Noise and Vibration - Individual/Private Property Owner		
Individual, Debbie Palmer	Trains should be enclosed (in urban areas) in a tube-type apparatus with clerestory windows to eliminate noise. Nearby homes should not be super-insulated or sound-proofed as noise mitigation measures. The decibel level of existing trains should not be used as a guide for how much noise the high-speed trains can generate, since the frequency of high-speed trains will be greater than existing ones and therefore is not a valid comparison.	3.3 Noise and Vibration
Individual, Ken Eklund	Steel-wheel-on-steel-track trains will have significant noise impacts. A study must be done that details the noise production of the train based upon the train parameters and what will absorb the noise that is generated. The study should be designed to avoid a situation where the high-speed train generates a noise impact to be absorbed by others. Tunnels are preferable to open-air tracks that pass the costs of noise onto others to pay. The study should address the noise situation over time and consider how the high-speed trains will age, and should also address noise from collateral activities inherent to the train operation, including construction and maintenance of the tracks.	3.3 Noise and Vibration
Individual, P.M. Gormley	Will payment at full-market value be made to homeowners along the alignment if noise impacts are unbearable?	3.3 Noise and Vibration
Individual, Ryan Jaques	The section of proposed high-speed rail tracks from Diridon Station to the Bird Avenue crossing south of Diridon should go underground and be shared with Caltrain to decrease the amount of noise from at-grade crossings and train horns. Another alternative would be to close the grade crossings at West Virginia and Auzerais streets to auto traffic and eliminating the warning bells from the road gates and warning horns from the trains. Elevated tracks for high-speed trains would be the worst alternative from noise and visual aesthetics perspectives.	3.3 Noise and Vibration; 3.14 Aesthetics and Visual Quality; 2.3 Alternatives
Public Utilities and Energy - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	Analysis should consider whether electrified lines would be able to meet minimum required clearances from tunnel walls to other utility lines. Any existing lines over the tracks need to be relocated (trenched underground) if the tracks remain at current elevations.	3.5 Public Utilities and Energy
Public Utilities and Energy - Individual/Private Property Owner		
Individual, Debbie Palmer	A "roof" on top of an enclosed structure for the alignment could be lined with solar collectors. The CHSRA could use energy generated from the collectors to supplement the power needed to run the trains. A partnership could be formed between the CHSRA and regional energy agencies to accomplish this, resulting in cost savings for both parties.	3.5 Public Utilities and Energy
Individual, Craig Ow	Will utility lines that run between the tracks and Monterey south of Blossom Hill Road be put underground? Will California's power grid problems be tied into the development of the routes used by the high-speed trains?	3.5 Public Utilities and Energy

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Biological Resources and Wetlands - Federal Agency		
San Joaquin Valley Representative, Defenders of Wildlife, Jeremy Terhune	<p>We join Fish and Wildlife Service in strongly urging HSR to eliminate any alignments that cross through or adjacent to the Grasslands Ecological Area (GEA). GEA is the largest block of contiguous wetlands remaining in CA, and provides critical habitat to over 47 endangered, threatened, or candidate species under state or federal law and provides critical wintering habitat to over 20 percent of the Pacific Flyway waterfowl population.</p> <p>Eliminate any alignments that cross through or are adjacent to the GEA for the following reasons: the typical track will create a profound barrier that will further isolate wildlife populations, interfere with waterfowl/waterbird nesting and breeding, and interrupt existing wildlife corridors; noise, vibration and lighting from the rail will lead to avoidance by wildlife and contribute to habitat fragmentation; this corridor is important for Riparian brush rabbit, wood rat, W. yellow billed cuckoo, neotropical migrants, ringtail; there is a need to maintain riparian species refugia above flood levels as part of the Recovery Plan for Upland Species of the San Joaquin Valley; critical habitat is comprised of land officially designated by the USFWS to contain the primary constituent for a listed species, that habitat can not be adversely modified in any way that would impact the survival or recovery of the species, running a track and fencing the entirety of the alignment within critical habitat would constitute adverse medication.</p> <p>We support the concept of providing high speed rail transportation, but damage done to the Diablo Range and the GEA does not justify the estimated 10 minute reduction in travel time resulting from the Pacheco Pass alignment. Commuters from SF are second to those from LA regarding time spent being stuck in traffic. HSR should consider other options that consolidate transportation infrastructure within the metropolitan areas, alleviate traffic, such as the Altamont Pass alignment. Decreasing wear and tear on our highways and eliminating unnecessary expenses, rather than inducing sprawl by running the rail through GEA is an option that may be mutually beneficial for HSR and wildlife. Altamont Pass would maximize ridership while reducing negative social and environmental impacts across the San Joaquin Valley.</p>	3.6 Biological Resources and Wetlands
Refuge Manager, US Fish and Wildlife, Kim Forrest	<p>The Altamont Pass is much less environmentally damaging than Pacheco and Grasslands</p> <p>The San Luis National Wildlife Refuge Complex is concerned about high-speed rail alignments going through or adjacent to the Grasslands Ecological Area (GEA). How can it be assured that there will never be a high-speed rail station in western Merced County? A legal encumbrance is necessary to guarantee this. CHSRA should eliminate any high-speed train alignments that cross through or are adjacent to the GEA.</p>	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - State Agency		
Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	<p>Reduce wildlife movement impacts from permanent barriers that would result from at-grade access-controlled railways. All railway segments that are not using existing rails should be elevated. Elevations of rails could reduce impacts to movement and migration by allowing wildlife to pass freely underneath the entire length of the railway, while providing the access controlled tracks that are required for the project.</p> <p>Underpasses and overpasses are not always effective for various reasons. Animals would be able to see through the underside of the tracks to other sides, and more likely to walk underneath the tracks than to use a tunnel or vegetated overpass where the view of the other side would be visually obstructed. Elevated railways are critical in areas already reduced due to existing and proposed geographic, transportation, and structural barriers, such as the western Merced County near intersection SR 152, SR 33, and I 5. Conduct site specific research to determine whether wildlife movement passage structures will be used instead of elevated tracks and to determine the locations, numbers, and types of structures. Underpasses, overpasses, alignment elevation, and tunnels may not be suitable for all species and locations; all need to be evaluated before analysis of alignment sections.</p>	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - Regional Agency		
Associate Engineer, Community Projects Review Unit, Santa Clara Valley Water District, Yvonne Arroyo	Regarding 3.15.4 item A of the Bay Area Programmatic EIR- HSR alternative analysis should include a statement similar to the one presented under the modal alternative that providing sufficient mitigation for compliance with the Clean Water Act requirements for wetlands and waters would difficult and is an important fact that would apply to most any project under consideration where wetlands and functioning floodplains exist	3.6 Biological Resources and Wetlands

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>Include a sufficient analysis of the potential project impacts on biological resources of the GEA to permit an informed decision of choosing Henry Miller Rd over the other alignments. Identify and then analyze how direct and indirect short-term and long-term impacts of the project would affect biological resources after feasible mitigation is imposed including specifics of the area, resources involved, physical changes and alterations to the ecological system. Prior to selection of the final alignment, potential biological impacts must be made which can include interruption of habitat connectivity, interference with habitat conservation plans, train noise and vibration impacts, shock wave impacts, train collisions with large animals, water quality impacts and construction impacts</p> <p>The Pacheco alignment would further fragment a critical southern spur of the GEA from the rest of contiguous wetlands and isolate an small section of wetlands. The route cuts across the southern part of the Volta State Wildlife Management Area and the Los Banos State Wildlife Management Area (the oldest in the state) and would sever fragmented wildlife corridors connecting the north and south grasslands. Potential habitat fragmentation impacts include interference with wildlife movement and migration corridors, interference with drainage, the flow of irrigated water through the managed wetlands, and interference with access to hunting clubs.</p> <p>There is an area along Henry Miller Road that represents a pinch point between the north and south portions of GEA and it is considered extremely sensitive due to the significant fragmentation caused by urban development, rural roads and Highway 152. Reed Noss concluded that additional fragmentation could cause the final blow to the ecosystem and affect waterfowl movement between parts of the refuge. Alignments elsewhere will create new areas of fragmentation. Determine if cumulative impacts to the fragmented areas along Henry Miller Rd would pose greater threat to the GEA ecosystem than new areas of fragmentation or outside the GEA. Construction of wildlife underpasses, bridges, or large culverts could be considered to provide wildlife movement corridors, but a few underpasses alone would likely be insufficient to address this impact. Fragmentation does not require complete separation rater it is a relative and cumulative problem once a threshold is exceeded. Provide evidence of success of any proposed mitigation measures in a wetland environment like GEA and detail the number, location, and type of structures across the railroad ROW.</p>	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	The south of Highway 152 route avoids wetlands located west of Chowchilla.	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - Private Organizations and Associations		
Defenders of Wildlife, Jeremy Terhune	Defenders of Wildlife joins U.S. Fish and Wildlife Service Refuge Manager Kim Forrest in urging the CHRSA to eliminate any high-speed train alignments that cross through or adjacent to the GEA. The Altamont Pass alignment should be considered, which would consolidate transportation infrastructure within metropolitan areas, alleviate traffic, and maximize ridership potential while reducing negative social and environmental impacts across the San Joaquin Valley.	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - Individual/Private Property Owner		
Individual, Lawrence Ames	<p>Will tracks crossing the Diablo Range that are not in tunnels be on elevated structures, or will there be culverts or undercrossings in order to allow the movement of wildlife? Will the right-of-way be fenced off to prevent deer and elk from jumping over the fence and getting caught on the tracks?</p> <p>High-speed trains will need to accommodate cross-valley animal movement in the Tulare Hill region (the point between the Santa Cruz Mountains and the Diablo Range). Species include mountain lions, coyotes, bobcats, and badgers.</p> <p>High-speed trains can have a significant impact on the riparian habitat of the Los Gatos Creek, where the proposed alignment crosses. Impacted species include salmon and steel-head trout.</p>	3.6 Biological Resources and Wetlands

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Hydrology and Water Resources - State Agency		
Chief, State Water Project Operations Support Office, Division of Operations and Maintenance, David M. Samson	The proposed alignment would cross over the California Aqueduct, part of the State Water Project, north of O'Neill fore bay in the city of Los Banos.	3.7 Hydrology and Water Resources
Hydrology and Water Resources - Regional Agency		
Associate Engineer, Community Projects Review Unit, Santa Clara Valley Water District, Yvonne Arroyo	<p>The district is unable to provide specific details on how the project may or may not impact our facilities. The EIR should contain sufficient detail of the project to determine the extent of potential impacts and area of influence of the project and provide clarity on whether rail facilities will be above ground, below, or utilize existing tracks at existing grade and define the limits where modifications will occur so the district can provide more detail on the project</p> <p>Regarding 3.14.5 item C of the Bay Area Programmatic EIR: the project may have the potential for the diversion of groundwater flow. Flow directions and pathways could be affected by tunneling and dewatering associated with the modal and high speed rail in segments where tunneling or extensive earthwork would be undertaken. Project may cause a rise in the groundwater table in areas with soil contamination. This may cause an absorption of contaminants by groundwater or possibly spread groundwater contamination. The project may induce land subsidence caused by construction/operation dewatering. Tunneling or drilling operations also has the potential to contaminate groundwater.</p>	3.7 Hydrology and Water Resources
Safety and Security - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	<p>The railroad crossings that would have freight and HSR tracks side by side can be more expensive and problematic to grade separate all tracks, but the overall benefits are much greater. Separation structures adjacent to an at-grade railroad crossing can negatively impact the safety of the existing crossing due to limiting the configuration of warning devices, limiting the geometry of the roadway and sidewalk precluding medians or ADA complaint improvements, and obstructing visibility of the warning devices or an approaching train. Rather than degrading the safety of the existing at-grade crossings, the project should provide overall improvement by constructing a grade separation of all tracks at each crossing.</p> <p>Cities along the proposed route have built their downtowns around the tracks where high density commercial, residential, and industrial areas are and can lead to a high amount of pedestrians around the tracks. Leaving the tracks at the current elevations is likely to result in trespassing issues similar to those currently experienced along the rail corridor. Elevating and lowering the tracks in the downtown areas would mitigate this concern. Vandalism-resistant fencing or barriers along any remaining at-grade portions of the alignment should be a project requirement.</p> <p>Existing passenger stations may need to be significantly modified to construct necessary roadway and pedestrian grade-separated crossings.</p>	3.10 Safety and Security
Safety and Security - Individual/Private Property Owner		
Individual, Ward Lewis Crary	A dedicated right-of-way for high-speed rail is important to avoid any chance of derailment and to remain separated from other train lines, such as freight.	3.10 Safety and Security

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Socioeconomics, Communities, and Environmental Justice - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	Will the proposed route shown through the downtown corridor of Chowchilla and Madera permanently divide and isolate the minority communities from the rest of the city? Will the rail alignment foster good vs. bad side of the tracks? The west of Highway 99 route avoids physically existing communities or facilities, which would lead to environmental justice issues.	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - City Agency		
Mayor, City of Morgan Hill, Steve Tate	Elevated/grade separated tracks of HSR and parallel security fencing will create a barrier, dividing within the community.	3.11 Socioeconomics, Communities, and Environmental Justice
The City of Madera, Community Development, David J. Merchen	Exacerbation of physical obstacles and cultural barriers by the HSR facilities adjacent to UP alignment in Madera, would eliminate the possibility of bridging and result in significant environmental justice impacts. Establishing HSR facilities along the BNSF corridor, which runs through rural neighborhoods on the east side, would physically divide existing neighborhoods, some of which serve as an environmental justice community.	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Regarding 3.7.5 (pg. 3.7.43), communities and neighborhoods: explain how each of the different vertical track alignments (tunnel, trench, track at grade, elevated) and bypass neighborhood potentially divide or connect the community in comparison to the Greater Gardner action plan policies. What is the likelihood at the at grade and elevated options will create division of the community. Outline measures to demonstrate how such a project can enhance the community by providing attractive connections and interactions between neighborhoods (Gardner, Willow Glen, downtown San Jose) commercial areas, schools and open spaces/parks. Outline strategies to avoid total isolation of GG neighborhoods if sandwiched between elevated HSR tracks to the south and 280 to the north. How would HSR plan to involve GG NAC during the project level environmental review to decide any mitigation strategies for a new barrier? Will there be community involvement? Will there be community outreach in Spanish for this determination? Which new pedestrian crossings and cross connection points are being considered for GG and how will those additions to the neighborhood impact for GG Action Plan #4 (parking, traffic circulation, and pedestrian safety) and #10 (reduce neighborhood traffic impacts)? Have there been any studies to evaluate new pedestrian crossings and cross connection points for GG and their impacts? How will the community outreach be developed? Will community outreach of these changes occur in Spanish? What is meant by improved quality of project facilities and traffic management plans as it pertains to GG during and after construction? What constitutes an improved quality of project facilities? What is the baseline metric from which these improvements were generated? Where was it last used? Are the results of those studies published and available to residents of GG? What is the impact of HSR traffic management plans on the GG Action Plan #10? Are these two initiatives in conflict? If so, what is the mitigation? Provide examples of other neighborhoods where freeways existed within residential blocks of a fenced barrier or grade separation for rail transit and the outcome was not that the neighborhood was isolated as a result? Provide examples where new rail corridors were built in neighborhoods that also featured freeway cloverleaf blocks away and the freeway ROW was not used for the new rail line and instead the authority chose to use a location blocks away from the freeway with an established neighborhood in between. In these examples, did they result in improvements to the neighborhood?	3.11 Socioeconomics, Communities, and Environmental Justice
Morgan Hill Chamber of Commerce, Christine Giusiana, President/CEO Christopher Bryant, Chair of EDC	Morgan Hill Chamber of Commerce supports the expansion of mass transit opportunities but believes the proposed high-speed rail alignment along the Union Pacific tracks is divisive to Morgan Hill. Security fencing and sound walls that accompany the high-speed trains will create a divide in the community that will be destructive to visual aesthetics and the practicality of the city layout. There are many plans and projects in place to develop a vital downtown for Morgan Hill, including plans for over 800 homes in the downtown area, many of which are very close to the proposed alignment. There are also long-range plans in place to eliminate two at-grade train crossings downtown, which would be more difficult to achieve with potential disruptions to high-speed rail lines during the construction of underpasses.	3.11 Socioeconomics, Communities, and Environmental Justice

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
SilverLeaf Neighborhood Association, Randy Froh	Silverleaf Neighborhood Association opposes the projected construction location of the project in south San Jose, primarily the stretch of proposed track from Capitol Expressway to Bailey Road. Homes would be particularly affected on the stretch of proposed track from Blossom Hill Road in the north to Bernal Road in the south, where trains are projected to travel at a minimum speed of 125 miles per hour at 100 feet from residents' backyards. Residents' concerns could be mitigated or eliminated by identifying an alternative route or using the existing Union Pacific Railroad tracks.	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - Individual/Private Property Owner		
Silverleaf Neighborhood Association, Deborah Miller	Object to the proposal to run high-speed rail down the Monterey Highway corridor, adjacent to the Silver Leaf neighborhood.	3.11 Socioeconomics, Communities, and Environmental Justice
Property owner, Art Collins	Concerned that homes may be lost due to the project.	3.11 Socioeconomics, Communities, and Environmental Justice
Willow Glen Neighborhood Association, Bob Mulvany	If the proposed alignment continues north toward the Hwy. 87/280 maze rather than cut through Willow Glen residential neighborhoods, then the commercial properties between Bird, Auzerais, Royal and San Carlos would be the only properties taken by eminent domain, as opposed to a city park and homes on Fuller, Harrison and Drake.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Debbie Palmer	High-speed rail should not violate the Greater Gardner neighborhood's redevelopment "action plan" associated with the Strong Neighborhoods Initiative redevelopment plan in the City of San Jose. Property owners located immediately adjacent to the proposed corridor should be compensated by offering homeowners 1.5 times the value (average value over the last 10 years but not including the value as a result of the presence of high-speed rail in that average) off their homes, giving them the chance to stay or leave.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Ken Eklund	The addition of an elevated high-speed rail system in the area will increase the existing impacts of the current rail system, including noise and pollution. Neighborhoods along the corridor are looking for solutions that will improve their environment.	3.11 Socioeconomics, Communities, and Environmental Justice
Bonnie Schisler	Concerned that the value of property will decrease as a result of the alignment running along backyard. Parks will be negatively impacted by the project, which in turn negatively impacts the lives of poor children living in the area.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Darlene Sanchez	Why does the proposed alignment go through urban neighborhoods when there are other alternatives that have less impacts on these neighborhoods? The proposed alignment would result in homes being destroyed, increased noise impacts, and physical neighborhood division through walls.	3.11 Socioeconomics, Communities, and Environmental Justice

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Local Growth, Station Planning and Land Use - City Agency		
The City of Madera, Community Development, David J. Merchen	<p>HSR tracks adjacent to the UP alignment would disrupt the functionality of Madera's historic downtown, including the central business district, and create potential significant economic impacts and physical blight.</p> <p>Though the city's primary growth pattern has been set by the presence of prime agricultural land west of the city, the HSR alignment could create a permanent barrier or constraint to this easterly growth pattern.</p>	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - County Agency		
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Carefully and completely analyze alternatives to the proposed project that minimize conflicts with the county's General Plan and RTP.	3.12 Local Growth, Station Planning and Land Use
Resource Management Agency Director, Madera County, Rayburn Beach	<p>The west of Highway 99 route avoids dividing the community of Fairmead and separates the Central California Women's Facility from the the Valley State Prison for Women.</p> <p>An east-west alignment located south of Highway 152 offers similar advantages, including avoidance of impacts on Chowchilla's growth patterns and service needs.</p>	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - City Agency		
The City of Madera, Community Development, David J. Merchen	<p>HSR facilities presented at the public scoping meetings have not considered the City of Chowchilla's General Plan, nor the City's Infrastructure Master Plans. The alignment extends through lands that are developed or planned for urban development.</p> <p>Evaluate the impact of alignments on existing and planned land uses. Prioritize alternative designs that potentially reduce or eliminate impacts, over measures that would be implemented off-site. With cost implementation included. detail the physical setbacks, noise attenuation, and other design mitigation features needed.</p>	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Why is an alignment alternative considered highly compatible if it is located in areas planned for economic revitalization?	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - Private Organizations and Associations		
Associate Counsel, California Farm Bureau Federation, Natural Resources and Environmental Division, John R. Weech	The impact analysis must not be limited to the amount of area that would be physically occupied by the rail line and should consider the construction of ancillary facilities and supporting infrastructure, as well as growth-inducing impacts, like housing and other residential and commercial use.	3.12 Local Growth, Station Planning and Land Use
Individual, Tanya Rackerby	A station in Chowchilla will accelerate growth and development in the Central Valley and ease the strain on overcrowding in Southern and Northern California.	3.12 Local Growth, Station Planning and Land Use
Agricultural Land - County Agency		
Resource Management Agency Director, Madera County, Rayburn Beach	The west of Highway 99 route would create an urban boundary, preserving prime agricultural lands along the west side and providing a semi-permanent buffer for agriculture along the west side.	3.13 Agricultural Land

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Agricultural Land - City Agency		
The City of Madera, Community Development, David J. Merchen	Constraining the city's easterly growth pattern could contribute to the loss of prime agricultural lands by forcing growth west. Using the westerly alignment would serve as part of a functional edge to urban development, thereby enhancing the conservation of agriculture lands.	3.13 Agricultural Land
Aesthetics and Visual Quality - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	Concerned about visual impacts of HSR design options at Diridon Station, as well as in downtown and its adjacent neighborhoods.	3.15 Aesthetics and Visual Quality
Aesthetics and Visual Quality - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Given the proposed right-of-way runs through the hearts of many communities, visual and community-dividing impacts of having an embankment-mounted track way, plus associated sound walls, must be considered significant and, in all likelihood, unavoidable. Alternatives to avoid these impacts like the Altamont Pass alignment must be considered because the PEIR/EIS failed to assess these impacts.	3.15 Aesthetics and Visual Quality
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	How would visual impacts vary with different vertical track alignments on either the Caltrain ROW or any other potential tracks alignments through Greater Gardner? Which vertical track alignments can reduce visual impacts for GG taking into account the visual impacts of the catenary electrified system and associated retaining walls which could potentially be 20 ft above grade even in the retained fill areas and aerial entrances into GG? Considering GG is a small regional area with two elevated structures entering the neighborhood (87 and 280 overpass) and adding to the catenary system to the included impact, elaborate as to why this would be considered a low visual impact. A tall elevated structure on most of the route through GG would appear to be a high visual impact. Provide detail for visibility of the structure from homes, parks, schools in GG for any potential routes through GG. Will the overhead structure including catenary system be visible from: Biebrach Park, Gardner School, Gardner Community Center, 1.5 blocks from tracks-Hull and W Virginia, 2.5 blocks from tracks-Atlanta/Riverside and Brown, Coe St, Willow St.	3.15 Aesthetics and Visual Quality
Aesthetics and Visual Quality - Individual/Private Property Owner		
Individual, Kim Karcher	What visual buffers will be used to maintain a high level of visual quality for project facilities in the Greater Gardner neighborhood?	3.15 Aesthetics and Visual Quality
Individual, Steven Forster	In agreement with the peninsula cities' complaints about a "Berlin wall" running from San Jose to San Francisco in the form of a 15-foot tall, 75-foot wide platform.	3.15 Aesthetics and Visual Quality
Individual, Lawrence Ames	Will Diridon Station be preserved, or will it be demolished for a new high-speed rail station? Will the design of the high-speed rail station enhance the appearance of Diridon station?	3.15 Aesthetics and Visual Quality
Cultural Resources - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	The west of Highway 99 route preserves historical sites and avoids destroying downtown areas.	3.16 Cultural Resources
Operations and Maintenance Costs - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	The west of Highway 99 route could mean cheaper lands and cheaper construction costs.	5.3 Operations and Maintenance Costs

Table 5: Summary of Public Scoping Comments - Alignment, Station, Facility Alternatives

Commenter	Summary of Comments	Relevant EIR/EIS Section
Public Involvement and Outreach - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	Confirm and coordinate design assumptions for the corridor in San Jose and Morgan Hill, as well as for their affected communities, to identify design alternatives for further study	7.1 Public Involvement and Outreach
Public Involvement and Outreach - Individual/Private Property Owner		
Individual, Darlene Sanchez	How will stakeholders be able to see that their input was considered when then final alignment is determined?	7.1 Public Involvement and Outreach

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - Federal Agency		
U.S. Fish and Wildlife Service, Kim Forrest	A legal encumbrance is necessary to ensure that there will be no high-speed train station between Gilroy and Merced.	1.3 Purpose and Need
Purpose and Need - State Agency		
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	Examine the San Jose to Merced section without the construction of the rest of the proposed system.	1.3 Purpose and Need
Purpose and Need - Regional Agency		
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	Establish how the project relates to other efforts taking place in the Caltrain corridor. Define the project objectives for an interim period of operations when HSR service will exist in the Caltrain corridor but not be connected to a larger statewide network. It may be necessary to define opening day, horizon year, which may have very different service profiles and environmental impacts.	1.3 Purpose and Need
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	Include an accurate and complete description of the project setting, including an adequate description of the existence and importance of internationally significant wetlands habitat and wildlife within the GEA, a complete Purpose and Need including but not limited, significant construction, engineering and operational aspects of the project, identification of all potential environmental impacts of the project on the wetlands habitat and wildlife within the GEA, including but not limited to construction, land use, operational and growth inducing impact, identification of the environmentally superior alignment through or around the GEA supported by findings regarding significance of environmental impacts, feasibility of mitigation and alternatives.	1.3 Purpose and Need
Alternatives - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	Request a more detailed proposal and identification of all proposed grade-separated structure locations, as well as all existing at-grade crossings along any adopted alignment, so that potential impact and mitigation measures can be fully addressed.	2.3 Alternatives
Alternatives - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	Address alignment issues for downtown San Jose area in both the San Francisco to San Jose and the San Jose to Merced environmental documents	2.3 Alternatives
Transportation - State Agency		
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	HSR stations will induce additional demand on the state highway system like the mainline segments, intersections and ramps. Evaluate traffic impacts such as impacts caused by construction work to build the HSR tracks and stations, increased traffic congestion on local roads, state highways near HSR stations. Use consistent projections for rail ridership and decreased traffic on parallel highways that are the product of the same travel demand model. The model should be subject to local area validation to ensure it is producing realistic results for evaluated facilities. Recommend using Guide for the Preparation of Traffic Impact Studies for determining scenarios and methodologies for the traffic analysis. Propose consultation with the Authority before studies are initiated to discuss scope and requirements.	3.1 Transportation

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - County Agency		
Planner III, Planning Office, County of Santa Clara, Ranu Aggarwal	Identify projected number of trips to and from the stations in a traffic analysis. Identify the level of service impacts on the streets and freeways used to access the station and traffic mitigation measures needed. Consult the County of Santa Clara Roads and Airports Department staff as part of the planning process for any studied alignment/grade separation changes in county roads.	3.1 Transportation
Public Utilities and Energy - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	Design criteria of the proposed project needs to comply with Commission General Orders. The following, among others, may be applicable: GO 26-D (regulations governing clearances on railroads and street railroads with reference to side and overhead structures, parallel tracks, crossing of public roads, highways and streets), GO72-B (rules governing construction and maintenance of crossings at grade of railroads with public streets, roads and highways), GO 75-D (regulations governing standards for warning devices for at-grade highway-rail crossings), GO 88-B (rules for altering public highway-rail crossings), and GO 95 (rules for overhead electric line construction).	3.5 Public Utilities and Energy
Biological Resources and Wetlands - Federal Agency		
Refuge Manager, US Fish and Wildlife, Kim Forrest	How will agricultural, conservation and/or open space easements be acquired? Many large developers and land speculators have already bought large tracts of land close to an expected station in western Merced County, and many individual landowners are unwilling to sell easements at fair-market-value prices because they speculate the lands' values will increase if a high-speed train is present. Were any of the three agencies that buy conservation easements in the GEA - the U.S. Fish and Wildlife Service, California Department of Fish and Game, and the USDA Natural Resource Conservation Service - consulted when CHSRA decided that damage to the GEA could be mitigated by acquiring easements? It's doubtful that CHSRA can take easements in the GEA without the power of condemnation.	3.6 Biological Resources and Wetlands
Biological Resources and Wetlands - County Agency		
Planner III, Planning Office, County of Santa Clara, Ranu Aggarwal	Six local agencies, including the county, are collaboratively developing a Habitat Conservation Plan/Natural Communities Conservation Plan called the Santa Clara Valley Habitat Plan-A Conservation Legacy. Information developed under this should be part of the HSR planning. The plan is anticipated to be adopted by the end of 2010.	3.6 Biological Resources and Wetlands
Park Planner III, County of Santa Clara Parks and Recreation Department, Kimberly Brosseau	Include the county parks department in the design of protective measures for wildlife movement corridors when consulting with resource agencies who own and manage lands that could be impacted by the HSR.	3.6 Biological Resources and Wetlands
Hydrology and Water Resources - Regional Agency		
Associate Engineer, Community Projects Review Unit, Santa Clara Valley Water District, Yvonne Arroyo	<p>The district operates and maintains water resources in Santa Clara County, several of which cross the ROW and will be affected by the high speed rail project. The district's water resources protection ordinance requires a permit be obtained prior to modification of or encroachment onto a district facility. The district may be a responsible agency under CEQA if the project requires permitting under the ordinance, which appears to be likely, depending on the actual improvements or modifications to the proposed ROW needed</p> <p>Regarding 3.14.6 of the Bay Area Programmatic EIR: the district enacted ordinance 83-2, which requires issuance of a district permit for work within 50 ft of the top of bank of a creek within district jurisdiction and work located adjacent to a district facility including pipelines. Creeks within the district's jurisdiction are those creeks located within the Santa Clara County and whose tributary area is a minimum of one half square mile. The ordinance and other information regarding watersheds within the county are at www.valleywater.org</p> <p>The proposed alignments within Santa Clara County will affect groundwater supply quality, surface water quality, water supply pipelines and existing flood conditions to some extent. The district would like to receive a copy of the final EIR/EIS and any future related documents.</p>	3.7 Hydrology and Water Resources

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Socioeconomics, Communities, and Environmental Justice - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Need to address issues under Public Resources Code 21166, such as UP's right and need to use the Caltrain right-of-way between San Jose and San Francisco and its contractual right to control and/or restrict other uses of the right-of-way for intercity rail passenger service. Any plans for Caltrain/CHSRA use of the Caltrain right-of-way must address how this will be reconciled with UP rights and impacts that would result from attempting to reconcile potentially conflicting interests. Need to address expected need to purchase additional right-of-way in the corridor if an accommodation with UP cannot be reached, including the impacts of property taking, displacing existing residents, and businesses in the corridor.	3.11 Socioeconomics, Communities, and Environmental Justice
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	What procedures or specific ways will the needs of the homeless factor into consideration of environmental justice? Consider in the analysis homeless personal routines, shelters dislocated during construction, safe access throughout the neighborhood, mitigating any impact of the homeless or felt by the homeless due to noise and vibration, mitigating the homeless from areas of construction.	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - Individual/Private Property Owner		
Individual, Gary L. Harris	An 8-10' fence along the alignment will cut California in half. An image of the fence was not shown before the election.	3.11 Socioeconomics, Communities, and Environmental Justice
Local Growth, Station Planning and Land Use - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Recommend that CHSRA make both the methodology and the assumptions in the growth inducement analysis as transparent as possible to the public and decision makers. Identify station locations that are currently zoned for high density development and those that are not. Address potential growth-related mitigation efforts and measures to increase the capacity of city/county high density planning efforts. Use FHWA and Caltrans growth-related impacts guidance, which is applicable to growth-related impact analyses for non-road projects.	3.12 Local Growth, Station Planning and Land Use
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Identify which land use model will be used, discuss its strength and weaknesses, and why it was selected. Identify the assumptions used in the model, the strengths and weaknesses of the assumptions, and why those assumptions were selected. Ground truth the results of the land use model by enlisting local expertise involved in land use issues, such as local government officials, land use and transportation planners, home loan officers, and real estate representatives.	3.12 Local Growth, Station Planning and Land Use
Refuge Manager, US Fish and Wildlife, Kim Forrest	Unless the CHSRA can condemn property owners for easements, the CHSRA will be unable to acquire enough conservation easements for mitigation purposes because people are selling land rather than conservation easements. The Bay Area Programmatic EIR states 10,000 acres of litigation lands would be purchased, however, speculators and developers are buying the land already and landowners are already refusing to sell conservation easements to FWS because they are hoping for skyrocketing land values. The idea that you can be successful buying easements is sheer speculation and highly unlikely.	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	Construction of grade separation structures is likely to involve massive changes to public infrastructure and private property near railroad crossings. Local entities must be allowed to amend their General Plans and incorporate the HSR project into existing footprints to allow for future right-of-way preservation.	3.12 Local Growth, Station Planning and Land Use

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	As lead agency, CHSRA is responsible for project mitigation, including any needed improvements to the state highway system.	3.12 Local Growth, Station Planning and Land Use

Local Growth, Station Planning and Land Use - County Agency

Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	<p>The project will affect areas in the county that are designated for both rural and urban land uses. Rural uses are designated agricultural (intensely farmed/irrigated areas on the valley floor) or foothill pasture (non-irrigated grasslands). These areas are designated Specific Urban Development Plan areas, Rural Residential Centers, or Highway Interchange Centers. Development within the SUDP is typically guided through community plans.</p> <p>Include a comprehensive analysis of the project's consistency with the county General Plan.</p> <p>The county is in the midst of a General Plan update and will require close coordination with the Authority to ensure the projects evaluated align with the current General Plan policy.</p> <p>In 2004, the county adopted the UC Merced University Community Plan and certified an EIR for the plan. The project is designed to capture all growth generated by UC Merced, integrate that growth with the Campus Long Range Development Plan, and organize and plan for growth in a manner that is sustainable and consistent with the county's General Plan. An efficient multi-modal transportation network is key to achieving environmental sustainability goals of the UCP. The HSR EIR/EIS needs to examine the relationship of the project to the UCP and ensure the project is integrated with and supports the circulation element of the UCP.</p>	3.12 Local Growth, Station Planning and Land Use
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Local Growth, Station Planning and Land Use - Private Organizations and Associations

Willow Glen Neighborhood Association, Richard Zappelli	Clarify if impacts from the high-speed trains are significant and proposed mitigations are appropriate to the proposed site given all the interrelated City of San Jose area plans that may lead to different analysis.	3.12 Local Growth, Station Planning and Land Use
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Why is only the city of San Jose General Plan 2020 cited for San Jose in the Programmatic EIR? More planning documents are available including: City of San Jose Strong Neighborhoods Initiative, Greater Gardner; Greater Gardner Neighborhood Improvement Plan; City of San Jose Midtown specific plan; City of San Jose Tamien specific plan; City of San Jose Strong Neighborhoods Initiative, Delmas Park; City of San Jose Neighborhoods Initiative, Burbank-DelMonte; City of San Jose Baseball Stadium EIR; San Jose Redevelopment Agency, Diridon Station</p> <p>What is the mitigation plan for inconsistencies between the city's 2020 General Plan and more up to date, regional planning documents, such as Greater Gardner's planning documents? Does the most recent document take precedence in planning decisions and if not, what recourse do the communities have if obsolete planning information is used in HST design?</p> <p>Regarding 3.7.5 (p. 3.7.42), land use incompatibility: this section featured no documents created on or after Nov 2007 and used the City of San Jose 2020 General Plan adopted in 1994, as well as Census Bureau data from 2000, the more current Greater Gardner Action Plan was not used and is more current than the documents used to create the program EIR. GG coalition neighborhoods have up to date planning data available from 2007 in neighborhood improvement plan. What is the implication of using obsolete planning documents in HSR analysis? What is the mitigation plan for land use incompatibilities between GG action plan and HSR in the event a planning error made by HSR based on their use of obsolete planning documents from the city?</p>	3.12 Local Growth, Station Planning and Land Use

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
	Regarding 3.7.5 (p. 3.7.42), land use incompatibility: describe the consideration process that HSR used regarding Greater Gardner land use plans and neighborhood action plans with respect to the chosen Pacheco Pass route. What will be the project level reviews undertaken for GG community and will the results of these reviews be published? Consistency with existing and planned land use guidelines are specified in GG Action Plan but do not appear to be addressed in program EIR/EIS and any GG planning documents were not referred to in the program EIR/EIS. Which local government agencies representing GG worked with HSR to consider local plans and local access needs for HST such that the design would limit disruption to GG? Are there any records of these meetings and what was determined? Which local governments representing GG worked with HSR on opportunities for transit oriented development for HST? Did these transit oriented development meetings with GG representatives coordinate HST planning with GG LRT drop off area, documented as Action 13 under GG Action Plan. Are there any records of these meetings and what was determined? If the HST transit development planning is in conflict with GG transit development related what is the mediation plan? Which agency decides the amount of loss if any?	
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	How will the EIR/EIS take into account all current planning documents relevant to the Diridon Station area, including the Diridon Strategic Plan, Midtown Specific Plan, Downtown Strategy 2000 Plan, and Baseball Stadium in the Diridon/Arena Area Environmental Impact Report?	3.12 Local Growth, Station Planning and Land Use
Willow Glen Neighborhood Association, Richard Zappelli	When evaluating the impacts of each route alternative, clarify how the hierarchy and priority of the many interrelated City of San Jose area plans was established. It is difficult to determine whether the high-speed rail proposal or other area approved development proposals are consistent to each individual plan, the combined overlaid plans, or the baseball stadium EIR. When evaluating the impacts of each route alternative, clarify how the hierarchy and priority of the many interrelated City of San Jose area plans was established because it is confusing to the public to comprehend.	3.12 Local Growth, Station Planning and Land Use

Local Growth, Station Planning and Land Use - Individual/Private Property Owner

Hanchett Residence Park, Deborah Arant	How will the EIR/EIS take into account all current planning documents relevant to the Diridon Station area, including the Diridon Strategic Plan, Midtown Specific Plan, Downtown Strategy 2000 Plan, and Baseball Stadium in the Diridon/Arena Area Environmental Impact Report?	3.12 Local Growth, Station Planning and Land Use
Individual, Kim Karcher	What is the specific number of residences per acre used to define an area as high-, medium- or low-density?	3.12 Local Growth, Station Planning and Land Use
Individual, Lawrence Ames	Will high-speed rail plans be coordinated with the City of San Jose's baseball stadium plans (to be built adjacent to the Diridon Station)? Will the stadium plans impact the design of the high-speed rail system,? Will high-speed rail operations be coordinated with stadium operations?	3.12 Local Growth, Station Planning and Land Use
Individual, Diane Solomon	CHSRA should ensure that high-speed rail plans take into account other plans for the area around the Diridon Station, including the baseball stadium EIR, the Midtown Plan, the Downtown Revitalization Plan, the Diridon Area Plan, and the General Plan.	3.12 Local Growth, Station Planning and Land Use

Agricultural Land - Private Organizations and Associations

Associate Counsel, California Farm Bureau Federation, Natural Resources and Environmental Division, John R. Weech	Fully describe all proposed mitigation measures that address impacts to agricultural resources. The project has the potential to convert significant amounts of land to nonagricultural land loss on a per acre basis. For every acre converted, an acre of similar or better land must be permanently reserved through an agricultural easement.	3.13 Agricultural Land
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Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Associate Counsel, California Farm Bureau Federation, Natural Resources and Environmental Division, John R. Weech	The project must comply with the Williamson Act, which provides a tax incentive for the voluntary enrollment of agricultural and open space lands in ten-year contracts between local government and landowners. The contract restricts the land to agricultural, open space, and defined compatible uses. A project like HSR would not be compatible. The contract automatically renews each year; a nonrenewal of the contract can be filed by either the landowner or local government, unless the contract is cancelled (outlined at Gov Code 51280). Any mitigation must be included as part of the Williamson Act policies regarding public acquisition of and locating public improvements within preserves. A public agency must consult with the director of the Department of Conservation. At a minimum, the EIR must include the following related to the Williamson Act: a map detailing the location of agricultural preserves and Williamson Act contracted land, a calculation of the total amount of acreage under the contract, according to land type (prime or nonprime), that could be either directly or indirectly impacted by the project, and the impacts that public acquisition of areas under the Williamson Act contracts would have on nearby properties, which are also under contract, under CEQA. As it is unclear how much private property will have to be acquired, the least environmentally damaging and most practical alternative must maximize the use of current government-owned property before acquiring private land. For land under the Williamson Act, Gov Code 51291 spells out the requirements for government acquisition of land under the contract.	3.13 Agricultural Land; 3.12 Local Growth, Station Planning and Land Use
Aesthetics and Visual Resources - Individual/Private Property Owner		
Silverleaf Neighborhood Association, Deborah Miller	Identify the project's effects on plans to landscape and repave Monterey Highway.	3.15 Aesthetics and Visual Resources
Cumulative Impacts - Private Organizations and Associations		
San Jose Arena Management Corporation, Jim Goddard	How will the cumulative effects of the San Francisco to San Jose and San Jose to Merced high-speed train project segments be addressed relative to impacts at the Diridon Station? The analyses of impacts associated with Diridon Station should account for the full ridership, parking demand, and traffic impacts associated with completion of both segments. To what extent will potential impacts associated with the Diridon Station be addressed in the San Francisco to San Jose EIR/EIS, as compared to the San Jose to Merced EIR/EIS?	3.17 Cumulative Impacts
Public Involvement and Outreach - Federal Agency		
U.S. Fish and Wildlife Service, Kim Forrest	Are all comments submitted on the Bay Area to Central Valley Program EIR/EIS available to the public?	7.1 Public Involvement and Outreach
Administrative Office, US Fish and Wildlife Service, Mary Crist	Please add to mailing list to receive newsletters, information mailings, and meeting notices	7.2 Agency Consultation
Fire Management Office, US Fish and Wildlife Service, Peter Kelly	Please add to mailing list to receive newsletters, information mailings, and meeting notices	7.2 Agency Consultation
Refuge Manager, US Fish and Wildlife, Kim Forrest	The USFWS has provided in depth comments in 2004 and 2007, how come they aren't on your web site? The San Luis National Wildlife Refuge Complex voiced its concerns about natural resources in letters sent from the U.S. Department of the Interior, Fish and Wildlife Service in 2004 and 2007, but cannot find those comments referenced in the final Program EIS. (Referenced and attached the previous letters with her comment, found in Appendix I).	7.2 Agency Consultation
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	The EPA supports a HST system that can provide an alternative to increasing vehicle miles traveled and lead to reduced environmental impacts. Methods to incorporate public participation into the NEPA process should be fully described and implemented early to address public concerns during the planning process. An open, participatory process involving residents whose property may be acquired should be implemented.	7.1 Public Involvement and Outreach

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Public Involvement and Outreach - Regional Agency		
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	<p>How will decisions on the major alternatives be made? Will mitigations be strictly to satisfy environmental requirements, or will there be opportunities to provide enhancements or modifications beyond the environmental impacts?</p> <p>Several communities in Santa Clara County have expressed concern regarding urban design impacts and a process engaging local communities and transportation agencies should be established to make these decisions before the formal process of submitting comments to the EIR/EIS begins. An intermediary series of steps would go a long way to allaying community concerns on local design issues. VTA is prepared to offer resources and pre-existing citizen and policy advisory committee structures as a means of communicating with Santa Clara County as a whole</p>	7.1 Public Involvement and Outreach
Public Involvement and Outreach - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>In the outreach that has occurred to this point, there has been neither Spanish outreach nor Spanish translation services provided. A group of Spanish speaking residents collected signatures for a petition, which was signed by over 200 residents and users of the Gardner park facilities</p> <p>What outreach has been done so Spanish speakers can be informed and participate in the scoping meetings and development of the project? The Greater Gardner Coalition is comprised of three different neighborhoods. How will the different demographics affect outreach procedures?</p> <p>List all mailings within the Greater Gardner Coalition boundaries and those written in Spanish. How will the project conduct outreach to the Spanish community after the project EIR is written? How many mailings in Spanish? What mailing radius will the project employ? How many newspapers, TV, radio ads in Spanish? What form will outreach in other languages take? What are HST's procedures and policies with outreach to Spanish or foreign language populations? Will future meetings in Spanish have simultaneous translation with FM receiver headphones, alternating English/Spanish or will there be separate meetings for Spanish speakers?</p> <p>How have you contacted the members of Greater Gardner as you conduct the EIR review? In which English newspapers will you post notices about project meetings? In which Spanish or other foreign newspapers have you posted notices about project meetings? On which English, Spanish, and other language TV, radio stations will you sponsor public service announcements to inform people of project meetings?</p> <p>Which agency will execute these studies and how will the results be communicated to the city and residents? Will outreach occur in Spanish also?</p> <p>What are the procedures and policies with Habitat for Humanity Silicon Valley, alcohol/drug rehabilitation and recovery homes, low income, homeless, government and non governmental agencies that you may or may not have consulted and if you haven't consulted with, why not?</p> <p>Will you consider the San Jose Strong Initiative Greater Gardner Action Plan in your analysis? Will you consult with the Greater Gardner NAC and refer to the action plan to create procedures to assess environmental justice impacts? Will you consult with members of the Word of Faith Church to create procedures to assess environmental justice impacts, if not, why not?</p>	7.1 Public Involvement and Outreach
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	Answers to questions regarding the EIR/EIS should be made available in Spanish.	7.1 Public Involvement and Outreach
Gilroy Chamber of Commerce, Susan Valenta	The Gilroy Chamber of Commerce Government Relations Committee would like to receive periodic updates as the project progresses.	7.1 Public Involvement and Outreach
Union Pacific Railroad Company, Jerry Wilmoth	UP is willing to meet with the Authority and FRA during the EIR/EIS process to discuss its concerns about high speed rail operation and better understand the intentions regarding UP's ROW and will be glad to consider all future requests by the Authority after such meeting.	7.2 Agency Consultation

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Public Involvement and Outreach - Individual/Private Property Owner		
Property owner, Art Collins	Residents have not been properly notified about public hearings on the project and did not receive adequate communication about the impact the project would have on their lives prior to the election.	7.1 Public Involvement and Outreach
Hanchett Residence Park, Deborah Arant	Answers to questions regarding the EIR/EIS should be made available in Spanish.	7.1 Public Involvement and Outreach
Individual, Kim Karcher	Public participation and access to information by the homeless should be ensured.	7.1 Public Involvement and Outreach
Individual, Jose Delgadillo	Would like to volunteer to work on a committee of the high-speed rail project.	7.1 Public Involvement and Outreach
Individual, Frank Sandoval	Information on the project needs to be provided in Spanish, because there are many Spanish-speaking residents along the proposed alignment.	7.1 Public Involvement and Outreach
Wellington Corporation, Glenn Pace	Secure authority to override the special interests of environmental groups who will challenge the EIR in order to speed up construction of the project.	7.1 Public Involvement and Outreach
Santa Fe Land Planning, Desmond Johnston	Some provision should be made to hire local consultants to serve as subcontractors for the high-speed project.	7.1 Public Involvement and Outreach
Individual, Mike and Sherrie Kennedy	High-speed rail staff was knowledgeable and helpful at scoping meetings. Route maps and the project Web site allow people to become more informed.	7.1 Public Involvement and Outreach
Individual, Jessie Villicana	Should have been notified about the project by the High-Speed Rail Authority first, not the Greater Gardner Coalition.	7.1 Public Involvement and Outreach
Individual, Patricia Gormley	The San Jose to Merced high-speed train team did not adequately solicit input from the North Willow Glen/Gardner neighborhood community regarding how the project would impact their quality of life. The EIR/EIS is being created in a vacuum without realistic public input. Concern that there may be changes without public notice or input to concessions and agreements made to obtain initial approval of the project.	7.1 Public Involvement and Outreach
Individual, Tim Filice	Requested to be added to the project mailing list to receive newsletters, information mailings, and meeting notices.	7.1 Public Involvement and Outreach
Individual, Charlie Larson	Is there a physical model or a full-scale train available for the public to view? Considering organizing an event called Planes, Trains and California Wines that would promote the high-speed train and small airports for fast planes at Adagio in the Gilroy Area. Think that supporters in the area along Pacheco Pass would like to see the trains.	7.1 Public Involvement and Outreach
Individual, Kai Moua	Support the project since it will benefit Californians and the next generation. Would like to help with the project if possible.	7.1 Public Involvement and Outreach
Silverleaf Neighborhood Association, Deborah Miller	Frustrated with the manner in which public meetings were held. Meeting dates and times were not broadly communicated. Since meeting times were set during business hours, the public's ability to attend and speak out about the project was limited.	7.1 Public Involvement and Outreach
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	It's important to keep the Latino community informed about the project and process. Many people whose property is adjacent to the right-of-way were not informed about the project. Enough money should be spent to notify people about the project so they know how to provide input. Information about the project could be displayed at Gardner Elementary School and the community center. Some people in the neighborhood do not use e-mail, so informational fliers given out at the school or community center would be helpful. Meetings should be bilingual. Meetings should not start earlier than 7 PM because many people are working before. Will future outreach have an 800 phone number for Spanish speakers, since there is a high correlation of low SES?	7.1 Public Involvement and Outreach

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Agency Consultation - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	<p>Keep CPUC informed of all developments associated with the HSR project. Discuss with CPUC staff relevant safety issues. Conduct diagnostic reviews of any proposed and impacted crossing locations. As more information is available, CPUC will provide comments to HSR, and CPUC requests that an administrative draft of the DEIR be sent to the CPUC's RCES, so that all parties are able to address any issues before they are made public (attachment of crossings along the alignment).</p> <p>The CPUC is responsible for the environmental review and will be submitting written comments for each section of the project. The CPUC will provide oversight and work with the Authority.</p>	7.2 Agency Consultation
Chief, State Water Project Operations Support Office, Division of Operations and Maintenance, David M. Samson	<p>Any new bridge over the Aqueduct or construction work within the DWR right-of-way will require an encroachment permit issued by DWR. (http://www.doe.water.ca.gov/Services/Real_estate/encroach_rel/index.cfm)</p> <p>Early coordination with DWR staff (Scott Williams 916-653-5746 or Leroy Ellinghouse 916-653-7168) is recommended concerning new bridge design and placement. Provide DWR with subsequent environmental documentation.</p>	7.2 Agency Consultation
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	Complete any required roadway improvements before the issuance of project occupancy permits. An encroachment permit is required when involving the state's right-of-way. Recommend the Authority ensure resolution of the department's CEQA concerns prior to submittal of the permit application. (definition and information on applying for permits at end of this comment letter)	7.2 Agency Consultation
Chief, Division of Environmental Planning and Management, California State Lands Commission, Gail Netwon	There may be numerous locations on the proposed corridor where the project may encroach onto or over state sovereign lands. Require a lease for the use of these lands. As the DEIR/EIS is prepared and released, request a copy of the draft be submitted for comments so that the CSLC may identify areas that may be under CSLC jurisdiction. (for jurisdictional questions contact Mary Hays, 916-574-1812 or haysm@slc.ca.gov, for environmental review, contact Mary Ann Hadden 916-574-2274 or haddenm@slc.ca.gov.	7.2 Agency Consultation
Agency Consultation - Regional Agency		
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	If Caltrain electrification and modernization improvements (delineated in the Caltrain 2015 Plan) are constructed as part of the same project effort, is this all one engineering and environmental scope that covers all HSR and Caltrain improvements in the Peninsula Corridor, or are there separate engineering and environmental efforts in the corridor that will occur simultaneously? How are the two separate projects phased? If Caltrain is close to completing a federal environmental document for Caltrain electrification that is being reviewed by FTA, how will this environmental work be integrated with the HSR process being reviewed at the federal level by FRA? Is the modernized Caltrain assumed in the no build condition, or is it a component of a unified project? Will impacts of increased ridership at the Diridon Station be attributed to a unified project or will they be distributed between the two project elements? How will the HSR address the impacts of a storage yard if equipment is shared with Caltrain? Will a separate storage yard be needed?	7.2 Agency Consultation
Director of Permit Services, San Joaquin Valley Air Pollution Control District, David Warner	The project may require district permits prior to construction. The project proponent should submit to the district an application for an Authority to Construct. Call the small business assistance office 559-230-5888 and call Kanya Ellington 559-230-5934 for other assistance	7.2 Agency Consultation

Table 6: Summary of Public Scoping Comments - Environmental/Planning Process

Commenter	Summary of Comments	Relevant EIR/EIS Section
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>As a result of staff and Authority meetings to discuss concerns of the project, the Authority agreed to prohibit the establishment of any HST stations between Gilroy and Merced and to prohibit any HST maintenance or storage facilities within the Los Banos area or in the vicinity of the GEA. Continue to impose conditions, adopt mitigation measures and take other legal actions to ensure these prohibitions remain in effect in perpetuity. The July 2008 Bay Area to Central Valley EIR/EIS commits the Authority to execute mitigation measures to address potential impacts to the GEA (summarized in the comment letter).</p> <p>Establish a GEA advisory group of resource management agencies and interested stakeholders to review and advise the Authority on final route selection and on project level environmental review and mitigation At the Feb 26, 2009 meeting with the Authority, staff suggested the formation of an advisory group of resource management agencies and interested stakeholders to review and to advise the Authority on GEA related issues. We strongly concur with this recommendation and respectfully request the Authority immediately establish a GEA advisory group to review and advise the Authority on final route selection and on project level environmental review and mitigation. The group should consist of representatives of the CA Department of Fish and Game, US Fish and Wildlife Service, American Farmland Trust and the Grassland Water District. These organizations represent the resource management agencies and interested stakeholders who have long worked together to protect the integrity of the GEA and the buffer zone ag lands.</p>	7.2 Agency Consultation

Agency Consultation - County Agency

Chair, Council of San Benito County Governments, Anthony Botelho	The proposed alignment area is currently being studied by the South Santa Clara/San Benito County Mobility Partnership for improvements to SR 152. The council recommends consideration of options for coordination with the Mobility Partnership to reduce right-of-way and environmental impacts of the two projects .	7.2 Agency Consultation
Executive Director, Transportation Agency for Monterey County, Debra L. Hale	Continue to keep TAMC informed, and include the Caltrain extension project while planning HSR.	7.2 Agency Consultation
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	Appreciate being involved in the HSR project and support the project. Looks to assist the Authority in organizing regional public agencies on critical topics of shared interest, such as the Castle Maintenance Facility.	7.2 Agency Consultation
Park Planner III, County of Santa Clara Parks and Recreation Department, Kimberly Brosseau	Santa Clara County is currently preparing an HCP/NCCP requiring additional environmental review of any proposed or current projects within the HCP/NCCP. Contact Mr. Kenneth Schreiber 08-299-57869, ken.schreiber@pln.sccgov.org, Office of the County Executive, County Government Center, East Wing 7th Floor, 70 West Hedding Street, San Jose, CA 95110.	7.2 Agency Consultation

Agency Consultation - City Agency

City of San Jose, Department of Transportation, James R. Helmer	<p>HSR should continue to consult with the City of San Jose.</p> <p>Encourage ongoing public participation process with affected communities to ensure issues are addressed and reasonable mitigation measures are identified.</p>	7.2 Agency Consultation
The City of Madera, Community Development, David J. Merchen	Identify the specific features necessary to accommodate the needs of affected agencies along the HSR route, in direct consultation with those respective agencies. Support the Authority's action to rapidly create and implement a Coordination Plan, in order to allow the community to be part of the project's planning and implementation.	7.2 Agency Consultation
Mayor of City of Chowchilla, Justin White	Support the Authority's action to rapidly create and implement the coordination plan.	7.2 Agency Consultation

Table 7: Summary of Public Scoping Comments - Connectivity and Coordination with Other Transportation Facilities

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - City Agency		
City of Chowchilla Planning Commission, Ronald Lawson	There is no credible transportation system to move masses of people throughout California. People using high-speed rail to travel from city to city will need a ground transportation network that moves them from the point of the terminal to their final destinations. The existing Amtrak system and proposed high-speed rail system stop at bigger cities but miss the small towns and communities, where transportation is needed. Amtrak should be placed on the Southern Pacific tracks and used as the local connection in the network so that people in smaller communities can travel to hubs in Merced or Fresno and then take high-speed trains to their destinations. There is no transportation network that moves people in Fresno from the trains to amenities such as hospitals and retail that lie a few miles from the stations. Europe has an ideal model, in which express trains travel through the major capitals, and terminals have local trains that go to smaller cities. Terminals in the smaller cities have local transportation networks that include buses and street cars. Without a complete transportation network in California, the only people who will benefit from the high-speed trains are riders going from Los Angeles to San Francisco.	1.3 Purpose and Need
Purpose and Need - Individual/Private Property Owner		
Individual, Tom Sawyer	What is the projected percentage of passengers that switch from using San Jose/SFO/LAX airports to high-speed rail?	1.3 Purpose and Need
Alternatives - Regional Agency		
Union Pacific Railroad Company, Jerry Wilmoth	It is not in UP's best interest to permit any proposed alignment on its right of way	2.3 Alternatives
Alternatives - Individual/Private Property Owner		
Individual, Ken Eklund	One alternative that should be studied is a cooperative arrangement between high-speed rail and the existing Caltrain system in which an improved Caltrain would function as a feeder system for high-speed rail from San Francisco to Gilroy. This would allow the high-speed trains to run at full-speed, and additional tracks for a completely different rail system do not have to be built in a corridor where there are existing train tracks already.	2.3 Alternatives

Table 7: Summary of Public Scoping Comments - Connectivity and Coordination with Other Transportation Facilities

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - Federal Agency		
Environmental Review Office, U.S. EPA Region IX, Tom Plenys	Specifically identify how the multiple proposed rail projects in the greater Bay Area and Central Valley relate to the HST project. EPA supports FRA and CHSRA coordination with local transportation agencies (including MTC, BART and Caltrain) to ensure the Regional Rail Plan is integrated with the Bay Area to Central Valley HST system. Address how the project will ensure that potential duplication of efforts and incompatibilities with other rail and/or transit systems will not occur. Identify integration and/or incompatibility of the HST project with other existing and proposed projects. Identify specific features of the HST project that are being designed to "link up" with other transportation, commuting and transit proposals in the region. Clarify whether facilities constructed for the Caltrain Electrification Program were designed to accommodate power distribution requirements for a future HST system. Discuss the potential impacts of tunneling on the existing transportation network.	3.1 Transportation
Transportation - State Agency		
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	Examine the market potential for HSR feeder service to interstate and international air travel, using SFO and Mineta San Jose and including station stops in Santa Clara where a planned airport people-mover will connect Mineta to the Caltrain and future BART stations. Identify whether luggage should be accommodated and whether off-site terminals with luggage check-in and transfer should be implemented.	3.1 Transportation
Transportation - County Agency		
Executive Director, Transportation Agency for Monterey County , Debra L. Hale	Support HSR stop in Gilroy. Current Caltrain and bus service at the station, as well as planned extension from Gilroy to Monterey County, would make for easy transfers to connecting local service from HSR	3.1 Transportation
Chairman, Merced County Board of Supervisors, Deidre F. Kelsey	The county participates in the Regional Transportation Program administered by the Merced County Association of Governments, which has several important regional projects that could be affected by the project, such as the Campus Parkway, Merced-Atwater Expressway, and Los Banos By Pass.	3.1 Transportation
Resource Management Agency Director, Madera County , Rayburn Beach	Need to see a plan for how to access the identified rail station by transit, shuttle, bus, van. Clearly describe and map how the existing outlying communities will access HSR.	3.1 Transportation
Transportation - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	The San Francisco/San Jose/Gilroy segment fully integrates HSR with existing Caltrain service, including electrification, grade separations, and agency coordination; moreover, it provides proximity to Salinas, Monterey, and Santa Cruz.	3.1 Transportation
The City of Madera, Community Development, David J. Merchen	Need to see a plan that identifies how outlying communities will access HSR rail stations (I.e. routes by shuttle, transit bus, van)	3.1 Transportation

Table 7: Summary of Public Scoping Comments - Connectivity and Coordination with Other Transportation Facilities

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - Private Organizations and Associations		
Willow Glen Neighborhood Association, Richard Zappelli	How will the proposed alignment and current alternatives facilitate connectivity between high-speed trains and BART or Caltrain? How will the proposed alignment/alternative routes impact travel time for through and express trains?	3.1 Transportation
Sierra Club - Merced, JoAnne Clarke	There should be a "complete" transportation system that alleviates traffic congestion while providing low-cost transportation options for people who commute either intermittently from Los Angeles to San Francisco or daily between cities along Highway 99 and over the Altamont Pass to jobs in the Bay Area. High-speed rail should be one part of a transportation network that has links between urban and rural areas through a variety of transportation alternatives such as commuter rail and light rail.	3.1 Transportation
Individual, Greg Thompson	Interconnection with the existing ACE and BART services in the Altamont Pass is important to maintain. Alignments and station locations should be emphasized to provide convenient transfers with airports, light rail, and other train transportation systems in California. Long-term parking should not be neglected.	3.1 Transportation
Individual, Susan Voss	Adequate feeder systems and supporting infrastructure that are conveniently located to high-speed rail are critical to the project's success.	3.1 Transportation
Air Quality - Private Organizations and Associations		
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Stations should be located to maximize interactivity with local and regional transit providers, like using the Transbay Terminal in San Francisco. Consider the additional carbon cost of a 4th street terminus rather than the more centrally located and transit-accessible Transbay Terminal. The SF-SJ segment must consider the legislative mandate for service to the Transbay Terminal contained in AB 3034.	3.2 Air Quality
Local Growth, Station Planning and Land Use - Individual/Private Property Owner		
Individual, Eric Anderson	The complementary industries of airplanes, including hotel rooms, conventions and rental cars, should not be overlooked in the economic analysis of the viability of the high-speed train system. People in town on business will not stay in hotels downtown where the train station would be located. Convention planners are more likely to hold events in places accessible to more people (i.e. in hotels near airports). People who desire full regional accessibility will most likely rent a car, which is not as feasible in downtown locations as compared to airports due to the cost of land and the number of cars that would have to be held in stock.	3.12 Local Growth, Station Planning and Land Use
Parks, Recreation and Open Space - Individual/Private Property Owner		
Hanchett Residence Park, Deborah Arant	How will high-speed rail accommodate the existing bike and pedestrian access to the Diridon Station area?	3.14 Parks, Recreation and Open Space

Table 7: Summary of Public Scoping Comments - Connectivity and Coordination with Other Transportation Facilities

Commenter	Summary of Comments	Relevant EIR/EIS Section
Agency Consultation - Regional Agency		
General Manager, Santa Clara Valley Transportation Authority, Michael T. Burns	VTA facilities are in proximity and may be impacted by HSR including: Gilroy transit center and park and ride lot, San Martin Caltrain station and park and ride lot, Morgan Hill Caltrain station and park and ride lot, Blossom Hill Caltrain station and park and ride lot, Capitol Caltrain station and park and ride lot, Tamien station, VTA-owned childcare facility and VTA-owned developable land. VTA has two projects in development that may be impacted: Blossom Hill Pedestrian Crossing (final engineering will span Caltrain/UPRR tracks and Monterey Highway, south of Blossom Hill Road overpass) and Route 152 Realignment (in planning phase assessing new alignments of SR 152 in close proximity to proposed HSR through Pacheco Pass)	7.2 Agency Consultation
Agency Consultation - County Agency		
Executive Director, Transportation Agency for Monterey County , Debra L. Hale	The Caltrain Commuter Rail Extension to Monterey County project is nearing completion of the project approval and environmental documents phase, which is available for review at the TAMC web site.	7.2 Agency Consultation

Table 8: Summary of Public Scoping Comments - Project Funding

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	Do not feel the HSR will carry enough traffic to offset the tremendous cost to the state.	1.3 Purpose and Need
Purpose and Need - Individual/Private Property Owner		
Individual, Joseph P. Thompson	<p>The current proposal does not satisfy the requirements of sound railroading, while it adheres to the tax-dependent method of finance asking to Amtrak, Caltrain, and urban mass transit, with only a very small fraction of the overall expenses paid by the patrons. The assumption that taxpayers can continue to pony-up the subsidies for more government owned transport is wrong. History shows the proposal to be fatally flawed. All of the state owned railroads in the nation failed in 1837-1840. Lincoln knew personally about those failures so when General Granville Dodge recommended to the President in 1864 that the government own the transcontinental railroad, Lincoln said no. His theory which ultimately worked was that private enterprise own the railroads but that government would aid in their construction.</p> <p>When the nation's railroads were nationalized during WWI, it only took 18 months before the government's mismanagement had brought all our railroads to a screeching halt. So Congress reserved its previous decision and denationalized our railroads. In 1970 during debates in Congress on formation on the National Railroad Passenger Corporation (Amtrak) some members promised that Amtrak would be profitable in three years. Amtrak has failed to break even and requires ever increasing tax subsidies to continue its operations. Our nation paid dearly for Amtrak's subsidies because on 9/11/01 we did have Amtrak but we did not have adequate airport security. The north south tonnage flows in CA on Highway I-5, US 101, and Hwy 99 represent a source of funding that could in a private sector model, duplicate and exceed taxpayers subsidies in the public sector model as proposed in the EIR.</p> <p>The French government has announced that it will have FedEx freight transported by that nation's high speed rail starting next year, so those with experience in operating HSR in Europe have apparently resorted to freight revenue as a source of funding. We could reduce air pollution, traffic congestion, and road and bridge support deterioration and maintenance expenses if we diverted some of that tonnage onto HSR. I have said this to the HSRA since before its creation when it was a Commission. I believe that reliance on tax subsidies ought to be deemed unfeasible, given the tax/fee burdens already imposed on Californians by all labels of government, not to mention the even larger burdens which our generation is imposing on future generations. Rather, the manner in which railroads were originally created, and funded, freight revenue combined with losing passenger fares, ought to be the funding formula upon which the HSR is created and maintained.</p> <p>As the LAO's report states on page 5, the HSR service should not required an operating subsidy and instead a feasible funding source exists now and into the future. As with freight moving in the bellies of the airliners, HSR can transport freight, thereby decreasing air pollution because the full savings per ton/mile is about 75 percent compared with rubber tires hauling freight on concrete or asphalt. The profit made moving freight can offset the losses sustained transporting passengers. Overnight shipments between northern and southern California can be transported without interfering with daytime, commute hours. HSR is impossibly burdensome for its taxpayers in this and future generations and by following predecessors' examples, having learned from their mistakes, we can have sound, sustainable HSR in California.</p>	1.3 Purpose and Need
Individual, Tom Sawyer	<p>What are the projected ticket costs?</p> <p>What are the projected passenger profile percentages?</p>	1.3 Purpose and Need
Individual, Susan Voss	<p>Costs in regard to investment and expenses, and the expected return on operations, need to be accurately defined.</p> <p>Ridership needs to be accurately determined.</p>	1.3 Purpose and Need
Individual, Roger A. Ghiotti	Less money needs to be spent on "futuristic high tech" boondoggles, given the current state of the economy. It is unlikely that there will be enough riders to support the line full-time and it will end up being heavily subsidized. It will be difficult to complete the project without "cost over runs" and "unexpected delays," and court cases over right-of-way issues will delay the project more and cost more tax dollars.	1.3 Purpose and Need
Individual, Joseph Stern	<p>The cost of the high-speed rail program in relation to the ridership is a big concern.</p> <p>Support systems need to be in place at high-speed train stations so that people can get to their final destinations quickly.</p>	1.3 Purpose and Need

Table 8: Summary of Public Scoping Comments - Project Funding

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - State Agency		
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	Fully discuss the project's share contribution toward financing, scheduling, implementation responsibilities, and monitoring for proposed mitigation measures. Specifically, identify project traffic mitigation fees in the EIR and present them in the mitigation monitoring report plan.	3.1 Transportation
Transportation - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	The HSR will result in a loss of substantial transportation funding from addressing continued automobile demand.	3.1 Transportation
Associate Planner, San Benito County Planning Department, Michael Krowsie	Although not specifically an environmental impact, ensure that this project does not adversely impact San Benito County's ability to obtain transportation funds in the future.	3.1 Transportation
Local Growth, Station Planning and Land Use - County Agency		
Resource Management Agency Director, Madera County , Rayburn Beach	Need to know the costs associated with post-rail development through the downtown communities that will be most impacted by the proposed alignments, as HSR will eliminate any feasible development associated with the other side of the tracks due to the high infrastructure costs associated with crossing the HSR.	3.12 Local Growth, Station Planning and Land Use
Local Growth, Station Planning and Land Use - Individual/Private Property Owner		
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	How many jobs will the project create in California? Will workers be imported from out of the state or country?	3.12 Local Growth, Station Planning and Land Use
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will the project employ engineers from California?	3.12 Local Growth, Station Planning and Land Use

Table 8: Summary of Public Scoping Comments - Project Funding

Commenter	Summary of Comments	Relevant EIR/EIS Section
Parks, Recreation and Open Space - Individual/Private Property Owner		
Individual, Eric Anderson	Funds should be used to integrate connectivity opportunities in the neighborhood, including the completion of the Los Gatos Creek trail, which would go all the way to Diridon Station.	3.14 Parks, Recreation and Open Space
Capital Costs - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Estimate the costs of construction and mitigation measures for construction damage and identify who would be responsible for evaluating and bearing the costs	5.2 Capital Costs
Capital Costs - Individual/Private Property Owner		
Individual, Robert Rieger	How much will it cost to subsidize the train in the future?	5.2 Capital Costs
Individual, Gary Jansen	The cost in increased taxes paid by an individual is a negative psychological effect upon the life of anyone required to pay for the train. It should be demonstrated and guaranteed that the high-speed rail system will fully pay for itself within a 30-year span.	5.2 Capital Costs
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Why is the high-speed rail project receiving money from the state when other services like schools, fire and police are being cut?	5.2 Capital Costs
Individual, Michael Moloney	Very expensive.	5.2 Capital Costs

Table 9: Summary of Public Scoping Comments - Health and Safety

Commenter	Summary of Comments	Relevant EIR/EIS Section
Air Quality - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	Low income and language minority families frequently have poor health and high frequency of respiratory ailments, cardiovascular disease, and cancer. Evaluate how Greater Gardner will be affected by increased pollution caused by construction for each alignment and bypassing the neighborhood, from running HSR and list possible mitigations.	3.2 Air Quality
EMI/EMF - Individual/Private Property Owner		
Individual, Jerry Laster	Science and courts are recognizing individual differences in personal health with regards to electromagnetic fields and interference. It is possible that litigation may be effectively settling lower standards? The possibility of interference should be considered in regards to communication and security, since a portion of the segment crosses residential, commercial and industrial uses. Would shielding a third rail be a better solution?	3.4 EMI/EMF
Individual, Patricia Gormley	There are health concerns associated with chronic exposure to EMF/EMI including increased incidence of cancers, especially childhood leukemia. The North Willow Glen/Gardner corridor has a high population of families with young children. Concerned about EMF/EMI interference with television, radio and telephone reception.	3.4 EMI/EMF
Hydrology and Water Resources - City Agency		
Mayor, City of Morgan Hill, Steve Tate	The EIR/EIS should evaluate the potential of flood inundation in case of dam failure at the Anderson Reservoir Dam.	3.7 Hydrology and Water Resources
Safety and Security - State Agency		
District Branch Chief, Local Development Intergovernmental Review, Department of Transportation, Lisa Carboni	Safety is improved by the implementation of track grade separation at all cross traffic intersections.	3.10 Safety and Security
Attorney for the Planning and Conservation League, the California Rail Foundation, the Bay Rail Alliance, and the Transportation Solutions Defense and Education Fund, Stuart M. Flashman	Address the compatibility and public safety impacts that would be posed by such joint use of the right-of-way and specifically impacts posed in the event of a freight train derailment. How would the project protect against the potential of a high speed train impacting upon a just derailed freight train that obstructed or damaged the high speed train track?	3.10 Safety and Security
Individual, Tom Sawyer	What steps will be taken to protect the track from terrorists?	3.10 Safety and Security
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will there be fences to protect children from the trains? How will the public be protected from the trains? Will riders and train employees be safe when the trains are in operation?	3.10 Safety and Security
Socioeconomics, Communities and Environmental Justice - Individual/Private Property Owner		
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Concerned about children's safety around construction areas.	3.12 Socioeconomics, Communities and Environmental Justice/Construction Impacts

Table 10: Summary of Public Scoping Comments - Program Support/Opposition

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	Support early implementation of usable segments to complete, as funding is obtained, the planned initial service between San Francisco, San Jose, Fresno, Los Angeles, and Anaheim	1.3 Purpose and Need
Purpose and Need - Private Organizations and Associations		
Operating Engineers Local #3, Mike Weltz	Operating Engineers Local #3 supports the project and hopes for ground breaking in 2012.	1.3 Purpose and Need
Purpose and Need - Individual/Private Property Owner		
Individual, Gary Harris	Oppose the project, which only benefits a few people in California. Money should be spent on water and schools, instead of a high-speed train.	1.3 Purpose and Need
Individual, Julie Benabente	A high-speed train system would better link the South Bay to the Central Valley, and many people would use it due to the convenience of the route and speed of travel.	1.3 Purpose and Need
Individual, Julie Benabente	Fully supportive of the plan even if additional taxes/fees are necessary in the future. The project should be implemented quickly to take advantage of the benefits sooner.	1.3 Purpose and Need
Individual, Kai Moua	All efforts should be made to advance the project's construction.	1.3 Purpose and Need
Individual, Roberta Hughan	Support the project.	1.3 Purpose and Need
Public Utilities and Energy - Individual/Private Property Owner		
Individual, John-Pierre Mendoza	Utility companies should be created to operate these projects. These projects are worthy and practical methods of boosting the economy.	3.5 Public Utilities and Energy
Socioeconomics, Communities, and Environmental Justice - Individual/Private Property Owner		
Individual, John-Pierre Mendoza	There should be a nation-wide high-speed rail system that goes from Seattle to Miami and New York to San Diego. Railroad tracks should not divide cities and prevent people from sleeping because of the noise and damage trains make as they pass communities. We have the technology but need the leadership to accomplish this.	3.11 Socioeconomics, Communities, and Environmental Justice

Table 11: Summary of Public Scoping Comments - Technologies

Commenter	Summary of Comments	Relevant EIR/EIS Section
Public Utilities and Energy - City Agency		
City of San Jose, Department of Transportation, James R. Helmer	Interested in developing opportunities for renewable energy generation along the HSR corridor.	3.5 Public Utilities and Energy
Public Utilities and Energy - Individual/Private Property Owner		
Individual, Jerry Laster	The overhead catenary system appears to have been considered since the maglev system was rejected, and should open the question of distribution by a third rail system. There may be efficiency, public safety, electromagnetic interference, aesthetic and operational differences between the two distribution methods that may be overlooked due to the current focus on energy availability from the state-wide transmission system.	3.5 Public Utilities and Energy
Individual, Lawrence Ames	Will high-speed trains have batteries or a backup generator? Can solar photovoltaics be used to power or supplement the energy needs of high-speed trains? Will the high-speed trains use regenerative braking, where power is put back into the system when braking/approaching a station?	3.5 Public Utilities and Energy
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Will high-speed trains use clean energy?	3.5 Public Utilities and Energy
David Dearborn	Evaluate and consider solar PV canopy over paired parallel tracks and catenary as a viable source for non-carbon traction power for HST. Evaluate how options for carbon-free energy under consideration align with the President's and Governor's stated objectives for clean energy, low-carbon transportation and infrastructure related jobs, and becoming more energy independent. Evaluate how options for carbon-free energy would fund commodization of clean passive power in California; advance the vision and visibility of clean, carbon-free ground based public transportation; compare in cost with the levelized cost of energy from wind-generated power; compare with data from the U.S. Department of Energy's Solar Energy Technologies Program Multi-Year Program Plan; compare with wind farm generated power for predictable and demand-serving power generation for various time periods; aid in reducing demand for peak power generation; affect or mitigate the long-term impact of rails and rail anchor mechanisms expansion and contraction; affect the energy required to cool or condition air in HSR EMU vehicles; affect the conduction of power during periods of full sun exposure on hot days; and advance the demand for solar PV generated power. For all carbon-free traction power options, evaluate the capital costs per year amortized over 20 to 30 years; levelized cost of estimated demand over 20 and 30 years; and operating and maintenance costs over 20 and 30 years. Evaluate the relative levelized cost of energy over 30 years based on full-fair market value for both 1) removing all tax incentives, subsidies, rebates or reductions for suppliers of land, transmission right of way, mitigation, equipment, supplies, labor and profit and 2) for including all these items. Identify criteria for evaluating carbon-free traction power, sources employed for conducting research and analysis, the bibliography supporting such data and information, and other factors or issues relating to the environmental review.	3.5 Public Utilities and Energy

Table 11: Summary of Public Scoping Comments - Technologies

Commenter	Summary of Comments	Relevant EIR/EIS Section
Hazardous Wastes, Materials - Individual/Private Property Owner		
Individual, John-Pierre Mendoza	Trash should no longer be dumped in landfills. Recycling centers should be created every 50 miles in practical locations where citizens can deposit their trash in local collection points. Trash would then be transported to recycling centers where the quality and functionality of the centers can be controlled.	3.9 Hazardous Wastes, Materials
Individual, John-Pierre Mendoza	Major floods cause devastation and damage to human life as well as wildlife. Droughts affect crops and property. A new water system should protect both flooded areas and dry areas.	3.7 Hydrology and Water Resources
Safety and Security - State Agency		
Utilities Engineer, Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossing Branch, Felix Ko	Electrified train operations are generally incompatible with current technology, such as constant warning time detection systems implemented at at-grade crossings. To operate electrified trains at any speed through an at-grade crossing, warning devices and train detection equipment would require careful design to ensure safe operation.	3.10 Safety and Security

Table 12: Summary of Public Scoping Comments - Evaluation Criteria

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - Regional Agency		
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>An accurate description of the environmental setting is critical because it establishes the baseline physical conditions against which a lead agency can determine whether an impact is significant and should include a description from both a local and regional perspective. It must provide an environmental baseline to measure impacts against real conditions. Include a full description of the GEA, including its location in relation to the project and the importance of this area. Maps should be provided showing where potential alignments may cross the GEA and denoting, wildlife habitat, wildlife corridors, flyways, state and federal easement lands, proposed GEA buffer zones, and other significant resource areas.</p> <p>A legally sufficient Purpose and Need must contain a general description of the project's technical, economic, and environmental characteristics, considering the engineering proposals and supporting public service facilities, significant construction, and operation of the project. How often will trains pass? Appendix to the 2005 Statewide Program EIR/EIS stated 134 trains run daily at an average of one train every 11 minutes. Due to peak hours and off peak hours, trains may come more and less frequently. This is critical to the Purpose and Need to establish noise, visual, vibration and wildlife collision impacts for parks, neighborhoods, hunting clubs and wildlife refuges. Clearly describe the existence, location, size of appurtenant operational and maintenance facilities which themselves may result in significant impacts. Evaluate wetland, agriculture, biological and other impacts caused by construction of facilities. Avoid placement of operational and maintenance facilities within the GEA.</p>	1.3 Purpose and Need
Alternatives - Individual/Private Property Owner		
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	How will all the different alternatives be evaluated? Is there a set of criteria that the CHSRA is working with now?	2.3 Alternatives
Transportation - City Agency		
City of Gilroy, Community Development Department, Don Dey	<p>The traffic analysis should cover the Gilroy train station and its alternatives, including assumptions and methodologies for trip generation, the distribution and assignment for the Gilroy train station, and the current average daily and peak A.M/P.M. hour traffic volumes on all significantly affected streets, intersections, highway segments, and freeway ramps. Include schematic illustrations on traffic conditions for existing, existing plus background traffic, existing plus background traffic plus train station project and cumulative impacts for intersections in the train station and elevated grade crossings. City recommends the project utilize the city's documented traffic study procedure information. Calculation of cumulative traffic volumes should consider all existing and future traffic-generating developments that would affect roadways being evaluated. City's General Plan uses Level of Service standards; city can clarify information regarding the LOS</p> <p>The Transportation Impact Analysis should include relevant freeway segments, interchanges, state highways, city roadways, and intersections in the city of Gilroy. The freeway segments should be determined according to the VTA TIA guidelines and include freeways that the project expects to add traffic equal to at least one percent of the freeway segments' capacity, as well as intersections that the project expects to add 10 or more peak hour vehicles per lane to any intersection. In Gilroy, the highest peak is due to weekend retail traffic. Clearly identify the method of estimating the number of trips and method of distributing project trips.</p> <p>Provide clarification on the parking analysis, how the analysis will be performed, and how parking needs generated by the project will be supplied. A detailed parking analysis must identify the existing parking conditions around the HSR stations and the project level demand and where parking will be constructed. Reasonable walking distances must be assumed for the new parking facilities' construction, so neighborhoods are not impacted. A detailed pick-up and drop-off analysis must be performed for the station. Will taxi waiting areas be available? How would taxi service impact parking space needs and the pick-up/drop off area? Are there rental car facilities planned? How does rental car service impact parking space and pick up/drop off areas?</p>	3.1 Transportation

Table 12: Summary of Public Scoping Comments - Evaluation Criteria

Commenter	Summary of Comments	Relevant EIR/EIS Section
Transportation - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Regarding pg 3.7.41 and table 3.7.2 in the Programmatic EIR: what is the metric used to determine whether an HST system maintains or improves existing access conditions and how was it applied in the program EIR? What level of impact would you assign to Greater Gardner? Provide examples of HST as an improvement relative metric scoring. How will it be applied to GG for each of the alignments and bypassing?</p> <p>What are some of the cases where HST systems have improved existing access conditions through grade separations of existing services anywhere in the world? What was the metric prior to improvement and what was the score afterward? Which agency performed the measurements and was it formally documented? What is the percent of HST implementation where existing access conditions were maintained, improved, declined versus overall sites measured? For places that have experienced improvement in access after HST, compare land use designation, population, demographics, etc and other issues between the baseline and GG implementation</p>	3.1 Transportation
Air Quality - Regional Agency		
Director of Permit Services, San Joaquin Valley Air Pollution Control District, David Warner	Recommend any preliminary and final environmental review of the project's potential impact on air quality includes: a description of the regulatory environment and existing air quality conditions impacting the area (http://valleyair.org/aqinfo/attainment.htm), description of the project including a discussion of existing and post-project emissions, discussion should include emissions from short-term activities such as construction and emissions from long-term activities like operational and area-wide emission source, a discussion of the potential health impact of Toxic Air Contaminants, if any near-by receptors, a discussion of whether of the project would result in cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment, whether the project would create nuisance odors, discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality, discussion of all existing district regulations that apply to the project, and all feasible measures that will reduce air quality impacts	3.2 Air Quality
Noise and Vibration - Regional Agency		
Adams Broadwell Joseph and Cardozo, Attorneys at Law for Grassland Water District, Grassland Resource Conservation District, Grassland Fund, Thomas A. Enslow	<p>HST will likely produce significant noise and vibration each time it passes through the GEA. Disclose what the actual noise exposure would be in decibels, at varying distances from the track. Analyze the impact noise and vibration may have on wildlife and habitat in the GEA. An FRA report states a severe impact exists where project noise levels exceed 60 dBA and where the ambient noise level was 50 dBA Ldn as would be the case in the GEA. Impacts on wild birds and mammals must be assessed by dB SEL rate not just by the decibel rate. SEL is measure of all sound energy during an event expressed as the equivalent sound level with a duration of one second. The July 2008 Bay Area to Central Valley EIR/EIS states trains running through flat and straight areas such as the Henry Miller alignment though the GEA will be traveling at speeds up to 220 mph.</p> <p>Dr. Weissman examines the available data on this issue and estimates that the Lmax noise from the train at 200 mph would be around 101.5 dB. Even at high speed, the train will take three to four seconds to pass a point receptor meaning the SEL at 50 ft is probably around 105-110 dB. with a 3 dB drop off per doubling distance for a line source, the high speed train will likely exceed a 100 dB SEL significance threshold for wild birds and mammals out to a distance of 500 ft. This distance would increase significantly at a train speed of 220 mph at a significance level of 77 dB SEL. Train frequency determines the overall noise impact of the project.</p> <p>Clearly state the potential frequency of trains passing through the GEA. An operational report for the first phase of EIR/EIS contained a schedule showing 134 trains would pass along the northern crossing alignment each day at every 11 minutes, and as frequently as every 5 minutes at busy portions of the day, meaning that startle effects will be frequent and overall sound level will rise substantially. Noise disturbances of wildlife in the GEA are of significant concerns, and disturbances may displace waterfowl from feeding grounds, desertion of nests, increased energetic costs associated with flight, and may lower productivity of nesting or brooding waterfowl, among other impacts. Evaluate the actual likely impacts of the train noise and vibration on the sensitive species in the GEA that may be exposed to these noise levels daily.</p>	3.3 Noise and Vibration

Table 12: Summary of Public Scoping Comments - Evaluation Criteria

Commenter	Summary of Comments	Relevant EIR/EIS Section
Noise and Vibration - County Agency		
Planner III, Planning Office, County of Santa Clara, Ranu Aggarwal	Evaluate noise impacts on adjacent properties, using the County Noise Ordinance and the General Plan Policies as thresholds of noise significance.	3.3 Noise and Vibration
Noise and Vibration - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>How will grade separations maintain or improve Greater Gardner's implementation of railway quiet zone? Given HSR trains are intended to run every three minutes, doesn't that frequency alone imply a noisier train environment? If not, what are the metrics used to make that determination? What are HSR plans for railway quiet zones? Is GG automatically considered a railway quiet zone for HSR after achieving this designation from Caltrain? Will GG need to reregister with HSR to obtain quiet zone status? What metrics is used to determine a quiet zone (decibels?) and how far away from the tracks are these determined? Are these two planning objectives from GG (quiet zones) and HSR (build HSR) in conflict? If so, how will this be mitigated? If not, how will you make that determination?</p> <p>For types of damage from construction and operations, outline the mitigations for structures at the following locations as they pertain to the HST alignments including alternatives that bypass GG and explain whether there will be a mediation or appeals process? What level of proof will be property owners be required to present? Outline mitigation for the following locations: immediately facing tracks (350-600 Fuller block and Fuller Ave park), backyard facing tracks (300-500 block Jerome (even numbers), one parcel away from tracks (300-600 block Hull odd and Jerome 300-600 odd), Biebrach Park, three blocks from tracks (W. VA east of Bird and Atlanta Ave), Harrison (600 block immediately adjacent to tracks, 700 block two blocks from tracks), W VA and Drake St, Gregory Plaza tot lot and Fuller Los Gatos Creek bridge.</p> <p>San Jose and the City of San Jose Strong Neighborhoods Imitative, Greater Gardner Action Plan (SJSNIGGAP) specify actions to reduce noise levels. How was the criteria developed for the metric (residential population +0.3 x mixed use population + 100x number of hospitals+250 x number of schools/mile)? How is it specifically related to Gardner? The SJSNIGGAP initiative 7 is to mitigate neighborhood noise levels and specifies that freeway noise is also an issue in Gardner. Would the metric fully account for the total noise impacts of the project? How does the metric compare to the city's General Plan noise criteria? Does the metric circumvent the city's requirement/guidelines? Will this metric be used in the EIR? Has the metric been validated/recently used in other projects and if so, which ones?</p>	3.3 Noise and Vibration

Table 12: Summary of Public Scoping Comments - Evaluation Criteria

Commenter	Summary of Comments	Relevant EIR/EIS Section
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Does the metric include all schools within one mile, even on the other side of major transportation corridor? Gardner has only one school within the boundaries of 280, 87, and Caltrain ROW (Gardner Academy), but there are many public, private and charter schools within one mile of the Caltrain ROW (Gardner Academy, Rocketship Elem, Notre Dame, Sacred Heart, Washington Elementary. If only Gardner Academy is relevant to the metric, does that imply other transportation corridors isolate the other schools from Gardner and are not counted? Elaborate on the number of schools utilized in the impact metric versus the claims that Gardner residential property impact is low, from 3.7 land use and planning table 3.7.2. If the project concludes transportation corridors isolate schools from noise impact metrics, this would imply additional corridors would result in high impact from a land use/community perspective and yet this is not the case for Gardner where impact was slated as low in 3.7.2. Quantify these results. Will the project use day time measures and a 24 hour measure for noise? if so, how will you resolve conflicts in evaluation of the level of impact, and if not, why not?</p> <p>For speeds less than 125 mph and for areas near stations, the FTA screening method was used in concert with the FRA method, why? How is this appropriate? Are there any noise designations for lower speeds that might be required for S-curve tracks? Is the FTA method required by law? if so, why used a second method? Was there legal justification for using a different method? Evaluate the noise levels using both methods</p> <p>What are the noise contours for high speed rail, and baseline exclusive of at grade warning horn noise, how do they compare? How will you mitigate any increase noise from the baseline?</p> <p>The SJSNIGGAP specifies creating a railway quiet zone at Gardner. Is it appropriate to automatically lower high impact to low impact based on horns (for speeds less than 150 mph, table 3.4-4 of the Programmatic EIR)? What is the precedent for lowering one impact rating based solely on horns? Trains often honk on their way to Tamien which will likely continue. Does this remove medium impact status and put all Gardner mitigations back to high impact? Will UPRR and Caltrain be fully fenced within HSR's security perimeter? if not, will they continue to honk at transients on their tracks? How will this affect your use of lowering the impact rating one level for no warning horns?</p>	3.3 Noise and Vibration

Noise and Vibration - Individual/Private PropertyOwner

Individual, P.M. Gormley	The industry's current noise measurement methodology underestimates the impacts to communities along the Caltrain and UP tracks. Noise should not be measured at the ambient level.	3.3 Noise and Vibration
Individual, Patricia Gormley	Federal Railroad guidelines should not be used to determine noise levels because they do not measure the cumulative ambient noise that residents experience. Noise mitigation engineering done in Atherton should be the minimum done for the North Willow Glen/Gardner corridor.	3.3 Noise and Vibration

Biological Resources and Wetlands - State Agency

Deputy Director, Ecosystem Conservation Division, California Natural Resources Agency, Department of Fish and Game, Kevin Hunting	Methods to determine the best locations for wildlife movement structures or avoidance should include track count surveys, ditch crossing surveys, monitoring trails with infrared or remote cameras, and GIS habitat modeling to identify likely wildlife travel corridors and anthropogenic barriers (highway, canals, reservoirs). At the landscape level, linkages need to be identified using habitat models, information from movement studies, GIS analyses, and department expertise.	3.6 Biological Resources and Wetlands
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Table 12: Summary of Public Scoping Comments - Evaluation Criteria

Commenter	Summary of Comments	Relevant EIR/EIS Section
Socioeconomics, Communities, and Environmental Justice - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>Will you use the US Census 2000 data at the census blocked or tracked level? What other sources of data about ethnicity and primary language and income of the inhabitants of the Greater Gardner community, specifically along the existing railway will you use? What is the specific number of residences per acre in GG (Greater Gardner) and how will you use this information to define an area as high density, medium, or low density? What community General Plans for the city will you consult? Is there any data kept by the city that describes socioeconomic status of the people living in GG? Will you request/access this data to assist in the process as you consider environmental justice impacts?</p> <p>Investigate Santa Clara County guidelines for what qualifies as low income, keeping in mind that housing costs and salaries in Santa Clara are generally much higher than the rest of USA. Explain what criteria is used to define low income and the basis for each criterion.</p> <p>Regarding 3.7-10 of the Programmatic EIR: how did you determine that the Greater Gardner neighborhoods are considered dense when the neighborhoods are predominantly detached single family homes?</p> <p>Table 3.7-22 and 23 of the Programmatic EIR state there is no community cohesion impacts. How can HSR that requires no at grade crossings, additional fencing, higher berms, and possible closing of Virginia Street entrance to Gregory Plaza not affect community cohesion? How does HSR propose to mitigate increased barriers? What alternatives including bypassing the neighborhood have been examined to eliminate these barriers, if they have not been examined, why not?</p> <p>3.7-22 states environmental justice impact is medium from Diridon Station to Gilroy. Will Greater Gardner be examined on its own merit for environmental justice impacts for the project level EIR, if not, why not? 3.7-23 analyzes the impact on San Jose Diridon Station and states the percentage of environmental justice population is lower than the thresholds, what data was used to make that determination? Will GG be examined on their own merits for the environmental justice impacts, if not, why not?</p>	3.11 Socioeconomics, Communities, and Environmental Justice
Local Growth, Station Planning and Land Use - Private Organizations and Associations		
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	<p>What ranking systems could be used to evaluate impacts to Greater Gardner by any of the alignments on land use changes, land use compatibility and on property? How do you select these alternative ranking systems? Would you make different recommendations under the different systems? What would they be? Since HSR presents new conditions to land use impacts in GG, why are potential impacts considered lower if an alignment alternative is within an existing ROW in these neighborhoods?</p> <p>Describe the metric for determining whether additional barriers or grade separations improve neighborhoods that are currently undergoing a city sponsored neighborhood action plan like Greater Gardner. Are the metrics relevant for neighborhoods prior to improvement or after? who decides and how are results published and disputed?</p>	3.12 Local Growth, Station Planning and Land Use

Table 13: Summary of Public Scoping Comments - Land Use & Property Acquisition

Commenter	Summary of Comments	Relevant EIR/EIS Section
Purpose and Need - Regional Agency		
Union Pacific Railroad Company, Jerry Wilmoth	<p>UP's right to main track No. 1 is crucial to effective operation of passenger services (Amtrak Capitol Corridor, Altamont Commuter Express, Amtrak Coast Starlight) and to freight service on the line between LA and Oakland and to SF. The Authority must not undertake any action that interferes with UP's ownership and operation of Main Track No. 1 without prior approval from UP, Amtrak and commuter agencies identified above. All adverse impacts must be mitigated to UP's satisfaction.</p> <p>UP owns outright in fee simple the entire width of the railroad right-of-way from Lick to Gilroy. No agency has any ownership rights (Amtrak, VTA) in this line and neither has any right or authority to allow third parties such as HSR to use or occupy this line. UP alone has such right. As previously advised, UP has no intention of allowing or permitting the Authority to build or operate HSR within UP's right of way between Lick and Gilroy.</p> <p>The Lick-Gilroy ROW (31 miles) owned by UP is with few exceptions, only 60 ft wide and is mostly bordered by Monterey Road or other public highways. There are two main tracks from Lick to Coyote (12 miles) and VTA is adding 8.4 miles of second main track south of Coyote. With over 20 miles of ROW occupied by two main tracks, there is no space available for any additional rail operations including HSR. UP intends to preserve the remaining non-double track portions for future freight service expansion and will take all legal action required to protect its property and operations against threats to such future capacity including attempts to take the property by eminent domain</p> <p>Slow speed freight trains and high speed trains are incompatible on the same tracks at any time and at any location, including at grade crossings. UP requires overhead clearance of 23 feet, 6 inches which is higher than the Authority contemplates for its electrical system. The Authority must provide grade-separated crossovers for freight trains at necessary locations. The Authority must contemplate operation of freight trains on any HSR trackage at any time and vice versa. If necessary, completely separate freight trackage and HSR must comply with all applicable FRA regulations with regard to freight trackage. Given the constraints of the ROW, is not possible or practical to share the ROW with HSR and there are no mitigations that will make this possible. UP will not voluntarily make this ROW available to HSR under any circumstances.</p>	1.3 Purpose and Need

Table 13: Summary of Public Scoping Comments - Land Use & Property Acquisition

Commenter	Summary of Comments	Relevant EIR/EIS Section
Socioeconomics, Communities, and Environmental Justice - Regional Agency		
Union Pacific Railroad Company, Jerry Wilmoth	As a common carrier railroad, UP is subject to the requirements of federal law, Interstate Commerce Commission Termination Act 49 USC 10501 et seq., governing abandonment or discontinuance of freight operations without authority from the federal Surface Transportation Board. The Authority may not take any action that effectively requires or causes UP abandonment or discontinuance of service on or over such line without authority from STB. UP will deem any attempt by HSR to interfere with UP's property and contract rights on the SJ to Gilroy line including attempts to seize the line by exercise of eminent domain as an attempt to force a de facto abandonment of freight services in violation of federal law	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - Private Organizations and Associations		
Shasta Hanchett Neighborhood Association Board of Directors, Helen Chapman	In what way will the EIR/EIS address eminent domain? Will the construction of an above-grade rail alignment further isolate existing downtown neighborhoods or complement the City of San Jose's goal to expand the boundaries of the downtown core?	3.11 Socioeconomics, Communities, and Environmental Justice
SilverLeaf Neighborhood Association, Randy Froh	Concerned about decreases in property value and decreases in quality of life due to the continuous flow of trains.	3.11 Socioeconomics, Communities, and Environmental Justice
Chairman, Greater Gardner Coalition Neighborhood Action Coalition, Harvey S. Darnell	How will you protect property impacts? What distance from the center line of the new alignments will be considered? According to table 3.7-2 in the Programmatic EIR, the widening of existing ROWs presents medium to high impact rankings, GG urban, single family residential. There is no category on the table to classify this type of development. Will GG be addressed in the project EIR? If not, why not? Will alternatives be developed that might have a low impact on GG? If not, why not? How will situations of taking be evaluated for the risk of contributing to blight? What compensation will be offered to neighbors if property becomes blighted? What appeals process will be available for owners and neighbors? What process will you use to determine the value of a taking? In which instances will minor strips of property in Greater Gardner be needed for ROW for all alternatives, including bypassing neighborhoods? Which instances will result in acquisition, demolition, displacement, or relocation of existing structures in GG? If relocated, where would those structure go?	3.11 Socioeconomics, Communities, and Environmental Justice
Socioeconomics, Communities, and Environmental Justice - Individual/Private Property Owner		
Silverleaf Neighborhood Association, Deborah Miller	Concerned about decreased property values and potential home seizures. Concerned about soundwalls isolating the Silver Leaf neighborhood from other neighboring communities and police stations. Concerned about isolation of neighborhood businesses and potential store closings. Address the project's forecasted impact on home values. Identify the project's effects on local businesses. Identify how the project will allow the Silver Leaf neighborhood to connect with greater San Jose, if sound walls on each side of the tracks isolate the neighborhood.	3.11 Socioeconomics, Communities, and Environmental Justice
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	The ballot for the November 2008 election did not mention the project displacing people and going through neighborhoods.	3.11 Socioeconomics, Communities, and Environmental Justice
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	If private property is taken, will HSRA ensure that renters are treated properly and homeowners are given enough compensation to move? If private property is taken, how will compensation be determined? Fair-market value is unfair because people will not be able to buy property elsewhere in San Jose that is comparable with a property value that has decreased by the high-speed rail project.	3.11 Socioeconomics, Communities, and Environmental Justice

Table 13: Summary of Public Scoping Comments - Land Use & Property Acquisition

Commenter	Summary of Comments	Relevant EIR/EIS Section
Attended 4/29/09 San Jose Spanish informational meeting, Unknown	Concerned that the project will demolish the neighborhood and change its character. There should be quantitative values attached to community cohesiveness.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Daniel Erceg	The high-speed train project would degrade the livability of the North Willow Glen neighborhood, as well as cause a decrease in property values. Expansion of the rail corridor along Fuller Avenue will result in the loss of backyards, homes, the Word of Faith Church, much of Fuller Park, and two historic bridges.	3.11 Socioeconomics, Communities, and Environmental Justice
Hanchett Residence Park, Deborah Arant	In what way will the EIR/EIS address eminent domain? Will the construction of an above-grade rail alignment further isolate existing downtown neighborhoods or complement the City of San Jose's goal to expand the boundaries of the downtown core?	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Kim Karcher	What consideration will be given to homeless people in the Greater Gardner neighborhood whose routines and shelters will be dislocated during construction of the proposed alignment? Were homeless people included in the factor pertaining to the residential population in the impact area in the metric describing the relative magnitude of impact? What specific access modifications besides overcrossings or undercrossings will be used to mitigate impacts from partial property acquisitions that result in division of a farm or other land use in the Greater Gardner neighborhood?	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Robert Rieger	How much residential property will be taken off the tax roles to provide right-of-way?	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Tom Sawyer	How will the loss of property values for people near the right-of-way be assessed? What can be done to avoid dividing neighborhoods?	3.11 Socioeconomics, Communities, and Environmental Justice
New Horizons Condominium Development, Luther Perry	Many residents at the New Horizons Condominium development are regular train commuters and support the high-speed rail project, which they believe can have a positive effect on their property values. Concerned that high-speed rail would require a significantly wider right-of-way that could take away some New Horizons property.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Lawrence Ames	What will be the impacts of the high-speed train on adjacent residents? What will happen to Fuller Park? How will high-speed trains cross Virginia Avenue at Drake Street? The area is already significantly impacted by I-280, Caltrain, UP freight trains, and noise from the airport. Auzerais needs to be grade-separated because it is one of the main access routes to the high-density housing development that is part of the Mid Town Specific Plan.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Diane Solomon	Homes on Fuller Avenue near Diridon Station should not be destroyed due to the high-speed train project, and Virginia Street should not be closed.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Don Loquiao	Concerned about the project's impacts on residents in the area.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Tavy Dumont	The Church at Delmas and Fuller Avenue should stay where it is and not be demolished.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Nohemi Sanchez	What will happen to the duplexes adjacent to the existing train tracks? What will happen to homeowners who do not want to sell their homes and move elsewhere? Will elevated tracks be put in place?	3.11 Socioeconomics, Communities, and Environmental Justice

Table 13: Summary of Public Scoping Comments - Land Use & Property Acquisition

Commenter	Summary of Comments	Relevant EIR/EIS Section
Individual, Janet Hebert	Own land south of Morgan Hill and concerned that some land might be taken for the project. Would she be paid for this?	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Monique Serrano	Concerned about property and do not want to move out of the neighborhood where have lived for 25 years.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Philbert and Dorothy Escobar	Homes and property on Henry Miller Road between Hwy. 165 and west to the Volta school will be affected by the proposed alignment. An alternative alignment should go north of Henry Miller by two to three miles, since there is no farm land north of Henry Miller Road, only hunting ground.	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Jessie Villicana	How will the project mitigate declines in property conditions, property values, and quality of life for residents?	3.11 Socioeconomics, Communities, and Environmental Justice
Individual, Patricia Gormley	The North Willow Glen/Gardner neighborhood has invested \$10M over the last nine years to transform it and the high-speed train project could degrade residents' improved quality of life. Property values will decline if residents move out of the neighborhood in anticipation of high-speed rail implementation in the area and its effects.	3.11 Socioeconomics, Communities, and Environmental Justice
Local Growth, Station Planning and Land Use - Private Organizations and Associations		
Individual, Joseph P. Thompson	In addition to those aspects identified by Cox and Moore, the UP's Coast Main Line which is part of its incomparable interstate railroad and considered by many to be the best railroad in the while world if not in America, is entirely its to own, for its stakeholders benefits. The nation's national security and interstate commerce justify the position paramount to lesser entities, the states and local government which the courts have repeatedly upheld on federal preemption grounds. A look at the maps of UP's tracks in the SF peninsula, San Jose and South Bay Area show that the current HSR proposal is impossible without UP's consent. Since UP has not given its consent the proposed route is not a legally possible route even if the HSR could find the tax subsidy money to operate it as currently proposed.	3.12 Local Growth, Station Planning and Land Use

4.0 NEXT STEPS IN THE EIR/EIS PROCESS

The information obtained during scoping from public agencies, organizations, and individuals will be used in the subsequent phases of preparing the environmental documentation. Specifically, the Authority and FRA will:

Review the suggestions for alignment alternatives and station options – the Authority and the FRA will conduct an alternatives analysis to evaluate the list of alternatives that have been identified through scoping and determine which alternatives should be fully evaluated in the EIR/EIS. This effort will consider the Purpose and Need for the project, engineering feasibility, support of community land use plans and policies, and environmental considerations in determining the number of alternatives to be fully investigated in the EIR/EIS.

Implement a comprehensive public involvement process – the Authority and the FRA are sensitive to the communities' desire for an open, transparent public process that allows for an increased level of sharing information and progress on the environmental documentation. Toward that end, the Authority and the FRA are preparing a Coordination Plan that will be used to identify junctures in the process when such information would be timely. As part of this plan, public agencies will be invited to a series of meetings to discuss interim engineering and environmental products.

Refine project description – following the alternatives analysis, the Authority and the FRA will update the project description, identify design options, and begin to formulate more detailed engineering drawings that can be used for environmental analysis. The project description will describe the proposed route, the vertical profile (i.e., above grade, at grade, or below grade) alternatives, the operating plan (e.g., the hours of operations, the number of station stops, the frequency of service), the systems and facilities needed to support the HST (e.g., safety and security measures, communications, maintenance, electrical propulsion), and the techniques and length of time required to construct the HST system.

Commence technical studies – the alternatives analysis and updated project description will define the focus of the environmental analyses. Technical studies that will encompass the physical and socioeconomic environment will be initiated to document the existing environmental setting and then assess how the alternatives would change this setting. Suggestions of the issues and topics to be evaluated that were received during the scoping process will be used in identifying the impacts of the project alternatives.

These tasks will occur during the coming year. It is expected that in the first half of 2011, a Draft EIR/EIS will be distributed to the public for review and comment. The Draft EIR/EIS will be a compilation of the technical studies, and will describe the environmental consequences if the HST project were to be approved but also the mitigation measures that could be taken to avoid or reduce significant impacts identified in the Draft EIR/EIS. Substantive comments on the Draft EIR/EIS will be responded to in a Final EIR/EIS. Circulation of the Final EIR/EIS is anticipated by the end of 2011. Authority and FRA approval of the Final EIR/EIS would follow in early 2012.

5.0 PREPARERS

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